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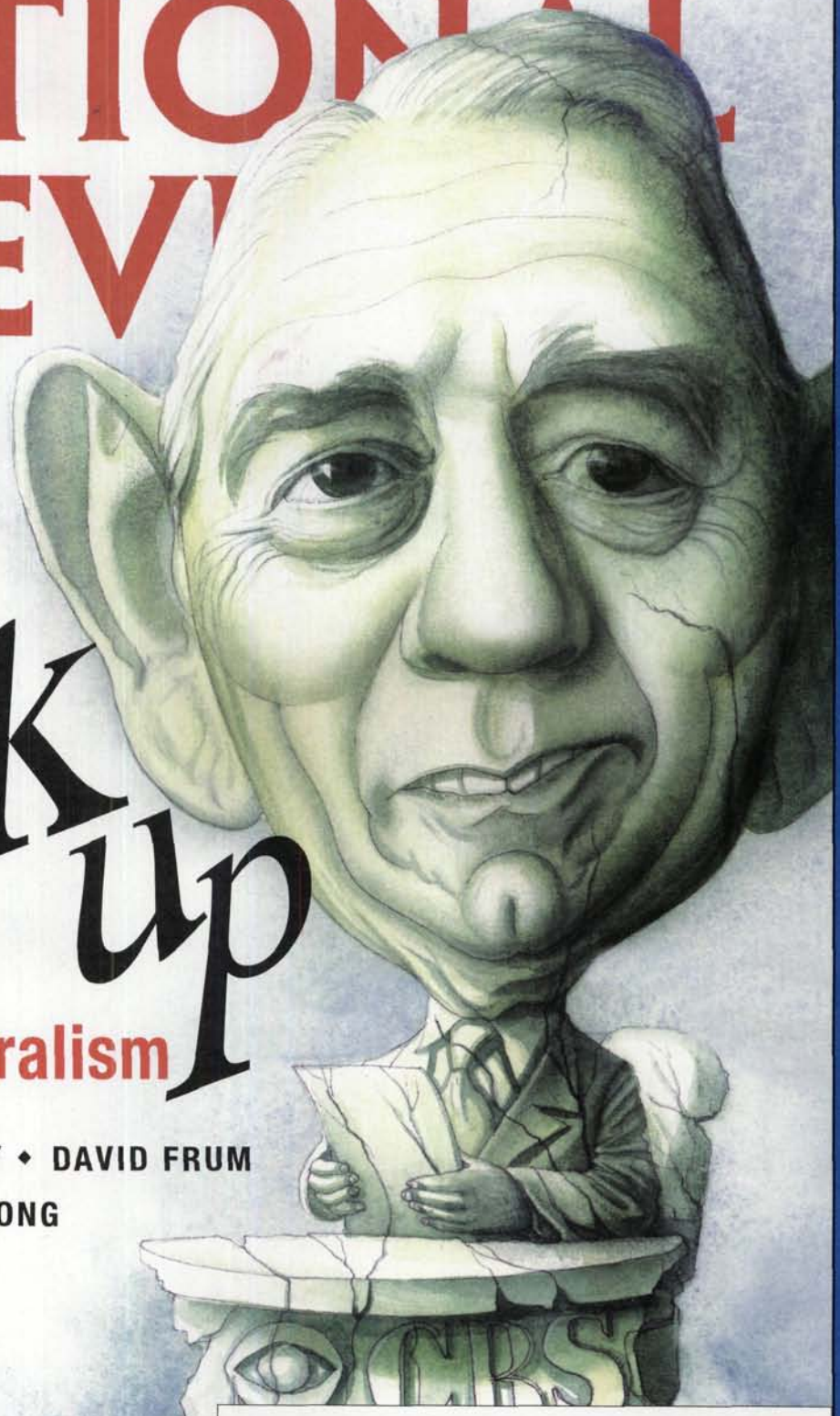
NATIONAL REVIEW



Crack up

Dan Rather, the establishment media, and liberalism lose it

NOEMIE EMERY • DAVID FRUM
JONAH GOLDBERG • ROB LONG
KATE O'BEIRNE AND
THE EDITORS

PLUS:

RAMESH PONNURU on How Kerry Could Come Back

JOHN J. MILLER on Our Man in Colorado

ANDREW C. McCARTHY on Seymour Hersh

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letters to the editor

MUSTERING THE ENERGY

Jerry Taylor and Peter Van Doren paint a bleak landscape beyond the "Energy Mirage" described in the September 13 issue. While I share their skepticism of glib promises of energy independence, I think the authors are too quick to dismiss automobile fuel economy as a step in the right direction.

We conservatives like to trust the free market to set process and to drive technology solutions. But as long as the indirect costs of fuel consumption remain "off the books," there is no reason to drive less, buy smaller vehicles, or adopt alternative, more expensive technologies. External costs such as maintaining a military presence in the Middle East and coping with global warming and pollution are paid for in ways not linked to fuel consumption—e.g., increased income taxes (or budget deficits), and health and emergency-management costs. A consumption tax would make the consumer aware of the actual costs.

The most obvious drawback is that sales taxes are regressive. But this can be easily offset by a simple tax credit, large enough to offset the increased tax at the pump for the average driver. Those who consume more than average would be taxed more highly; those who drive less or use more fuel-efficient cars would see a reduction in their taxes.

I realize that gas taxes are unpopular. But the external costs are getting too high to continue to regard low gas prices as an entitlement. It will take real leadership to make us understand and accept that. I hope President Bush will make it a priority if he receives a second term.

Stephen Campana
Doylestown, Pa..

Gareth Jones

ROMAN GENN

OFF THE CUFF

In the August 23 issue, Ramesh Ponnuru made an understandable mistake that was not his fault ("The Politics of Silence"). The Democratic convention asked all speakers to provide a text in advance. I do not like to speak from a prepared text, but it was easier to submit one than to argue about it. I dashed something off, never intending to read it. When I spoke, I spoke without a text, although the general subject matter was similar to what I had put in writing.

In what I said at the podium I mentioned same-sex marriage three times. The fact that I had not mentioned it in the written draft is of no consequence—I was simply scribbling off to satisfy their requirement. So when Ponnuru wrote that "not even Barney Frank defended gay marriage, exactly," he was in error, although the cause of the error was not any carelessness on his part.

Barney Frank
Newtonville, Mass.

FUNDAMENTAL

Thanks to Andrew Stuttaford for his great piece on Gareth Jones ("A Hero of Our Time," September 27). As someone who published an English-language weekly in Ukraine from 1994 to 2003 and always naively assumed professional writers were a truth-seeking lot, I find it very disheartening to realize how crooked the global journalistic profession is, especially at the ultra-competitive top of the business. Not only in Ukraine do journalists get killed for telling the truth.

Jones's story should remind Westerners of just how fundamental, even critical, to human civilization a free and truthful press is—and how rare it is.

Lidia Wolanskyj
Kiev, Ukraine

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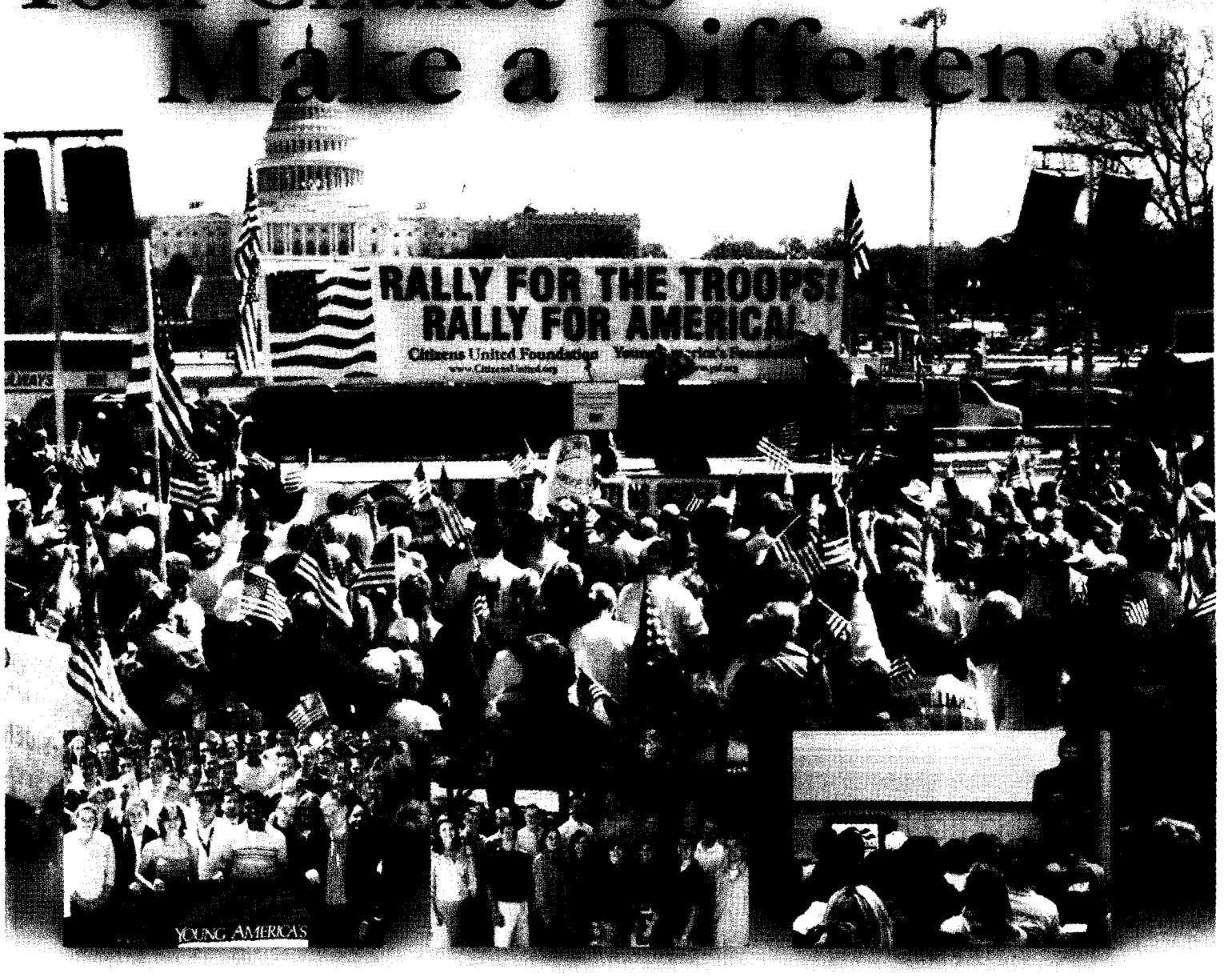

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■ In *The Hotline*'s survey of state polls, President **Bush** leads in 31 states worth 306 electoral votes and **John Kerry** leads in 17 states worth 212 electoral votes (270 needed to win). . . . *Time* poll: Bush-**Cheney** 54 percent, Kerry-**Edwards** 42 percent. . . . In AP poll, 75 percent describe Bush as "decisive" and only 37 percent say same of Kerry. . . . Bush, in speech to National Guard Association: "What's critical is that the president of the United States speak clearly and consistently at this time of great threat in our world, and not change positions because of expediency or pressure. Our troops, our friends and allies, and our enemies must know where America stands—and that America will stand firm. We cannot waver—we cannot waver because our enemies will not waver." . . . In German Marshall Fund poll, 81 percent of Democrats say it's "essential" for U.S. to gain U.N. approval before going to war and 69 percent of Republicans say it isn't. . . . Former secretary of state **Madeleine Albright** on Cheney's criticisms of Kerry, on *Meet the Press*: "I have never seen a national-security issue as politicized as this one has been since **Joe McCarthy**, and we cannot go on like this with scare tactics." . . . Kerry adviser **Richard Holbrooke** on Iraq, on Fox News: "It is strategically worse than Vietnam."

■ Kerry, in *Time*: "I've made mistakes, and I've done things that I regret, sure. I regret voting for Justice **Scalia**. I regret that any of us put faith in what the president said about how he would take America to war." . . . Kerry, in speech to Congressional Black Caucus: "We are not going to stand by and allow acts of voter suppression, and we're hearing those things already." . . . Bush: "I'm running against a fellow who has got a massive, complicated blueprint to have our government take over the decision-making in health care. Not only is his plan going to increase the power of bureaucrats in your life, but he can't pay for it unless he raises your taxes." . . . CBO estimates this year's federal deficit at $422 billion. . . . John Edwards: "I think [Bush] believes he's **Ken Lay** and America is his Enron."

■ Rep. **Artur Davis** (D., Ala.), in *Baltimore Sun*: "The [Democratic] party falls short in using us beyond the constraints of race." . . . **Teresa Heinz Kerry** on term "First Lady," in *Harper's Bazaar*: "Ick." . . . In Bendixen/Tarrance poll of Asian Americans, 43 percent say they prefer Kerry, 36 percent say Bush, and 20 percent are undecided. . . . Zogby poll of Arab Americans: Kerry 49 percent, Bush 32 percent, undecided 20 percent. . . . Rep. **Diana DeGette** (D., Colo.) on Bush reelection strategy, in *Rocky Mountain News*: "The administration must be banking on the voters being stupid."

■ Rep. **Jim Nussle** (R., Ia.) invites Gov. **Bill Owens** (R., Colo.) to Iowa: "Governor Owens is an emerging leader in our party. He has an outstanding record of accomplishment in his state." . . . In Quinnipiac University poll of New Yorkers on potential 2008 election races, former mayor **Rudy Giuliani** (R.) leads Sen. **Hillary Clinton** (D.), 50 percent to 43 percent; Clinton leads Gov. **George Pataki** (R.), 51 percent to 41 percent. . . . Rep. **Dana Rohrabacher** (R., Calif.) proposes constitutional amendment allowing foreign-born Americans who have been citizens for 20 years to be eligible for president. . . . Businessman **Tim Michels** wins Wisconsin primary and will face Sen. **Russ Feingold** (D.).

■ **Al Gore**, in *The New Yorker*: "The Republican right wing has launched a kind of civil cold war in a very ruthless fashion." . . . Gore on Bush's faith: "It's the American version of the same fundamentalist impulse that we see in Saudi Arabia, in Kashmir, in religions around the world: Hindu, Jewish, Christian, Muslim. They all have certain features in common. In a world of disconcerting change, when large and complex forces threaten familiar and comfortable guideposts, the natural impulse is to grab hold of the tree trunk that seems to have the deepest roots and hold on for dear life and never question the possibility that it's not going to be the source of your salvation." . . . Gore on 2008: "I really do not expect that I will be a candidate. If I did expect to be a candidate again, I would probably not feel the same freedom to let it rip in these speeches."

■ Congress lets expire assault-weapons ban signed by Clinton in 1994. . . . GAO says former Medicare administrator **Thomas Scully** should repay his government salary for efforts to hide true cost of prescription-drug bill from Congress. . . . In *South Bend Tribune* poll of Indiana's likely voters, Gov. **Joe Kernan** (D.) and former Bush budget chief **Mitch Daniels** are in dead heat in gubernatorial race. . . . Former D.C. mayor **Marion Barry** wins Democratic primary for city council, virtually guaranteeing general-election victory in November.

■ U.N. secretary-general **Kofi Annan** on U.S.-led invasion of Iraq: "It was illegal." . . . Britain says it will send more troops to Iraq if they're deemed necessary to safeguard voting. . . . As national elections approach, Australians worry about Spain-style terrorist attack. . . . Russian president **Vladimir Putin** says child killers of Beslan were just as bad as **Osama bin Laden**.

■ **Jay Leno** proposes new campaign slogan for Kerry: "Undecided voters, I'm just like you." **NR**

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THE WEEK

■ Canada has seen its first gay divorce. Our question: What took so long?

■ Fallujah turns out to have been an experiment that failed. Pulled back in April, possibly just days from taking the city from insurgents, Marines have had to watch the city provide a base for terrorists who have created a steady diet of carnage in Iraq. The Fallujah Brigade, an improvised band of former Baathists who were supposed to have policed the city, has melted away or joined the anti-U.S. forces. Other Sunni towns have followed the Fallujah model, slipping from the control of the Iraqi government and American troops. This situation is intolerable. The U.S. is making the political calculation that it should not take Fallujah until there are enough Iraqi forces to participate in the assault and hold the city once it is subdued. This is an understandable tactical choice, but it has a high cost. Every day the insurgency stays strong, the standing of Prime Minister Allawi's government erodes a little further. As Henry Kissinger has said, a guerrilla force wins by not losing, and the Iraqi insurgents are definitely not losing at the moment. This has prompted another bout of defeatism in the media and even certain precincts of the Right. As we have said before, Bush's nation-building in Iraq may yet prove a failure. But we don't know yet, largely because we don't know the answer to two big questions. Will the new Iraqi military and police force cohere as national institutions, across tribal and ethnic lines? Will elections come off in January in a respectable enough fashion that they give Allawi's government a new infusion of legitimacy and lead to a somewhat more settled political situation? If the answer to those questions is no, then all the American will and resolve in the world probably won't save Iraq.

■ John Kerry was against the war after he was for it, before he stopped being against it, prior to supporting it. That is the recent history of Kerry's Iraq positions. At least he seems now to have settled on more or less forthright opposition to the war, although he still insists, however illogically, that he would vote again to authorize it. Kerry can make forceful critiques of Bush's handling of the post-war occupation—since there are many mistakes and difficulties for him to hammer—but his proposed remedies are either illusory (help from Jacques Chirac) or duplicative of Bush policy (train Iraqis, spend on reconstruction). Where Kerry is distinctive is in his increasing willingness to flirt with doing George Aiken one better, and recommend that in Iraq we declare defeat now and go home.

■ Kofi Annan denounced the Iraq war as illegal, which we take to mean he didn't like it one bit. Since the beginning there has been debate about how to read the U.N. charter. The interpretation behind Annan's recent pronunciamento—essentially that you can wage war only if attacked and if granted permission by the Security Council—is much too pinched. The charter explicitly forbids war only to dismember other countries and subjugate them. In other words, it forbids wars of aggression. The actual practice of states—which is what really defines international law—has never been in line with Annan's reading. Consider only France's behavior, in Suez or Indochina, wars that weren't prompted by attacks on France proper or approved by the Security Council. Even Annan apparently finds his own strict interpretation much too limiting. In recent years he has been a champion of the "duty to prevent," the justification for humanitarian wars waged against states that have committed no outside aggression but maul their own populations. Under Annan's logic, using force to protect citizens of another country is legal, but launching preventive war to protect one's own countrymen is not. Which brings us back to the original point: "Illegal" is the word that Annan applies to things he doesn't like.

Kitty Kelley, going after GWB *(see page 14)*

ROMAN GENN

■ James Carville and Paul Begala are busy men. They represent the left end of the spectrum on CNN's *Crossfire*, and they are advisers (unpaid) to John Kerry. It will certainly make *Crossfire* more efficient: No need to argue over what the Kerry campaign is doing, just ask the Kerry campaign. There is a respectable argument that professional pols should not also be journalists. But that Rubicon was crossed long ago, with George Stephanopoulos, David Gergen, et al. (Pat Buchanan

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The scary part is, it co-stars Republicans.

Hollywood is trying to crush innovation to maintain its monopoly. And this time they've enlisted Republican lawmakers to help them do it. Their latest production, the "Induce Act" (S. 2560), could outlaw a wide range of technology, including peer-to-peer.

S. 2560 **threatens the personal property rights of Americans** because Hollywood fat cats think their intellectual property rights are more important.

S. 2560 **will be a boon for Hollywood's trial lawyer friends.** It creates a new category of lawsuits designed to harass companies developing technologies Hollywood deem unsuitable. Technologies that keep America competitive and deliver more diversity, efficiency and choice in a way unequaled by Hollywood's entertainment distribution monopoly.

Compromising property rights and encouraging predatory, costly litigation is not a conservative position.

This is one bill that shouldn't play anywhere.

Vote "NO" on S. 2560

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THE WEEK...

ran for president three times). Political commentary is acknowledged Punch and Judy—garish puppets thwacking each other. With Carville and Begala at least you know whose puppet you are watching. Far worse are the newscasters who say they're giving you the straight story, while giving you something else (even when they don't rely on forged documents).

■ Tom Coburn, the Republican Senate candidate from Oklahoma, is a strong conservative. His critics consider him extreme but nobody has denied that he is a man of principle. Until now. In recent weeks, the liberal website Salon has claimed that Coburn, as part of his obstetric practice, sterilized a 20-year-old woman without her consent and committed Medicaid fraud in the process. Coburn says that after saving the woman's life from an ectopic pregnancy, he did sterilize her but he maintains that he did so at her request, and a nurse has sworn an affidavit supporting him. A year later, the woman decided to sue him. The case was thrown out because of the statute of limitations. A second suit was dropped when the woman did not show up in court. Coburn did not ask Medicaid to reimburse him for the sterilization; no fraud occurred. Tom Coburn appears to be the victim of a nasty political smear.

■ Left-wing gay activists have begun to "out" lawmakers, and others, who support the Federal Marriage Amendment, or who oppose it but take other positions that the activists consider "anti-gay." The same activists have also sought to out people who work for these "anti-gay" lawmakers. Most gay organizations have distanced themselves from the tactic. That is to their limited credit: limited because the groups have not denounced the tactic, and because the incivility of outing is implicit in their own rhetoric. It is they who have labeled all opposition to same-sex marriage, and indeed all opposition to the judicial imposition of same-sex marriage, manifestations of hatred of homosexuals. The gay-rights lobby sees itself as a foe of religious intolerance, and cannot recognize its own fanaticism. Its reluctance to invade the privacy of elected officials and their aides is a commendable betrayal of its own principles, and a sign that its members are more decent than their premises should allow.

PUTIN GOES RETROGRADE

Peter would have understood;
So would Ivan, whose
Happy talk would often flag
When he got the blues.
Maybe if the Russians make
Nice with each decree,
Vlad will skip the gulags—but
Not the KGB.

—W. H. VON DREELE

■ The *Washington Post* claims that Bush's plans on taxes and Social Security carry a "price tag" of $3 trillion. Does this mean taxpayers are going to have to shell out an extra $3 trillion to pay for it? Well, no. It's not that kind of price tag. One trillion of the "cost" comes from making the tax cuts permanent, so it's a saving to taxpayers. Nor would Social Security reform increase taxpayer liabilities by the remaining $2 trillion. The program uses most of the taxes that today's workers pay to fund the benefits of today's retirees. Introducing personal accounts would require that some money be set aside to fund the accounts for those workers' eventual retirements, even as money kept being paid to today's retirees. That is a real financing challenge. But it is important to understand that it is only a matter of shifting some costs from the future to the present: Social Security is already obligated to pay for the retirements of both generations. Done right, reform will reduce the long-term cost of Social Security, which is a far more important problem than any short-term financing gap could be. Taxpayers have nothing to fear from Bush's agenda, and much to gain.

■ In 1994, President Clinton enacted a ban on "assault weapons," a category of guns that differed from other guns chiefly in cosmetic ways. That ban has now expired, the Republican Congress having no desire to see it continue. Studies have not shown that the ban reduced crime, and it is unlikely that its expiration will increase it. The ban's strongest supporters valued it as an entering wedge toward stricter gun control. That goal, never realistic, is now a little bit farther away. And opponents can be cheered by the idea that not every nice-sounding but ill-conceived law is destined to stay on the books forever.

■ Social Security is hot on the hustings these days. But while there's been haggling over retirement savings accounts, one crucial element of reform has been overlooked. As a new study by the Center for Immigration Studies demonstrates, Social Security "totalization"—agreements that coordinate U.S. Social Security with comparable programs in other countries, so that international workers are not double-taxed—is a disaster, at least with regard to Mexico. Most bilateral totalization agreements assume that participants are employed by corporations that have transferred them abroad (legally) for a specified period of time; they assume that employees and employers have been contributing to social security all along in their respective countries. And nearly all of the U.S.'s totalization agreements are with developed nations with retirement benefits similar to ours, thus eliminating any incentive to stay in the U.S. to milk our Social Security system. But according to CIS, "most Mexican workers entered the United States illegally, were not affiliated with a corporation, previously lived in poverty, and paid no social security taxes in Mexico." The study reports that "totalization . . . would cover not just Mexican workers but also their spouses and dependents," and that "over time, potentially millions of people would receive U.S. Social Security benefits and the cost would be in the billions of dollars." Anyone serious about "saving Social Security" would crack down on this absurd disparity (and the illegal immigration that fuels it). But don't expect *that* campaign promise, from either side, anytime soon.

■ The Department of Homeland Security's Asa Hutchinson, in

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THE WEEK...

charge of enforcing our immigration laws, told the *Washington Times* recently that it is simply "not realistic" to expect the number of illegal aliens in the country to be reduced. Though such an opinion is not unexpected from this administration, Hutchinson's candor makes clear there is little interest at the White House in enforcing the law, and that illegals will continue to enjoy a de facto amnesty, whether or not the president's formal amnesty is ever adopted. Hutchinson's explanation was that Americans' "compassion" means there is no political will to uproot millions of illegal aliens and send them home. He rejected the idea of an "an Israel type of fence," and said that the public expects the immigration law to be enforced "in a way consistent with our values." But since 9/11, the ambivalence and "compassion" the White House is so worried about are confined to the Left and elements of the business community, not the public at large. The measures needed to reduce the immigration crisis to a manageable nuisance are not difficult or radical, nor even politically unpopular. To adapt John Lennon, "All we are saying is give enforcement a chance."

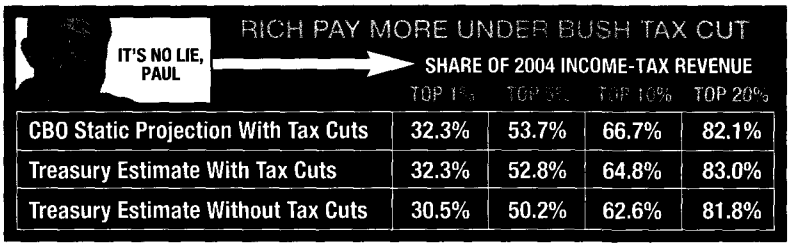
■ The United States recently lifted Cold War restrictions on trading nuclear and space technology with India. A State Department spokesman said the two countries also agreed to "expand our dialogue" on missile defense. For decades India was a soft ally of the Soviet Union. The fall of Communism, India's impatience with socialism, and—even more—9/11 have scrambled the old dynamics. The United States and India are vastly different nations that nonetheless share representative government, religious freedom, booming high-tech sectors, and the English language. An old American interest in India, which runs through Eliot back to Emerson and Thoreau, is bound to become a lot stronger.

■ In its annual report on religious freedom, the State Department has for the first time identified Saudi Arabia as a country that violates such freedom. The seven other countries that share its new designation (all are considered "of particular concern") are Burma, China, Iran, North Korea, Sudan, Eritrea,

The Rich and Taxes

It's not often you get attacked as a "liar" by Paul Krugman and a "clown" by a member of the UC Berkeley economics faculty on the same day, but that happened to me recently, in response to an NRO article I wrote on tax fairness. The Berkeley economist, Brad DeLong, scolded, "Everyone trying to do serious research . . . finds their credibility dragged down into the gutter by this guy."

What had gotten the class-warfare crowd so worked up was my statement that no one can credibly call the Bush tax plan a "tax cut for the rich" because the rich pay a larger share of federal income taxes than they would have if Bush hadn't cut taxes.



	TOP 1%	TOP 5%	TOP 10%	TOP 20%
CBO Static Projection With Tax Cuts	32.3%	53.7%	66.7%	82.1%
Treasury Estimate With Tax Cuts	32.3%	52.8%	64.8%	83.0%
Treasury Estimate Without Tax Cuts	30.5%	50.2%	62.6%	81.8%

My source is a study by the Treasury Department on tax shares paid by income groups. Treasury estimates that the top 1 percent will pay about 32.3 percent of all taxes this year. Treasury also estimates that absent the tax cuts, the top 1 percent would be paying only 30.5 percent of taxes, down 10 percent from 2001.

It's true that the rich paid a smaller share of their incomes in taxes in 2001, 2002, and 2003 than they did in 2000. But remember, 2000 was the year the stock-market bubble reached its peak. There were massive gains to the federal treasury in that year from taxes paid on capital-gains and stock-option income. Yet when the stock market crashed and the economy tanked, incomes of the rich plummeted and so did their tax payments.

The Left was exuberant over a recent Congressional Budget Office report concluding that the rich pay a smaller share of the tax burden under the Bush tax cuts. But there were two flaws with that analysis. First, the base year for the CBO study was 2000, the year when incomes and tax payments were anomalously high. Second, the study uses static analysis, a method I have argued for years is misleading. The CBO report concedes that it "does not account for incomes changing in response to the tax cuts." It assumes that people's incomes will rise at a constant rate whether taxes are cut or not. But the whole point behind supply-side tax cuts is to propel faster economic growth by reducing tax barriers to work, investment, and job creation.

Krugman and DeLong are apparently unaware that the monthly IRS tax-collection data indicate that tax payments are surging this year, and that as the recovery picks up steam—thanks in part to the tax cuts—the rich are beginning to pay more in taxes again and the budget deficit is finally starting to decrease. As a consequence of faster economic growth, the Treasury Department reports that tax payments by the rich will be significantly higher in 2004 than would have been the case absent the tax cuts.

One final point: Even if the CBO study were true, it still estimates that the richest 10 percent of Americans pay two-thirds of total taxes, and that the richest 20 percent pay more than four-fifths. How much do critics want the rich to pay? Ninety percent? Ninety-nine percent? It's enough to make this clown want to cry.

—STEPHEN MOORE

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THE WEEK...

and Vietnam. Such company alone indicates how serious the charge is. The decision to include Saudi Arabia suggests that previous State Department efforts to induce Riyadh to increase religious liberty have failed. Now the Bush administration is required by law to consider action against the kingdom, including sanctions. You might say that both the designation and the action are long overdue, and you'd probably be right. But late is better than never.

■ The killing by Chechen Islamists of several hundred hostages, mainly children, in the southern Russian town of Beslan should be a defining moment in the War on Terror. President Vladimir Putin has to explain how this atrocity happened, and what he proposes to do to ensure future security. Far from it, on the pretext that the unity of Russia is under threat he has made a grab to extend his personal power. At present Russia's 89 regions have governors, elected locally and therefore acting as some sort of check on the ruler in the Kremlin. Putin will now be appointing them. More than that, he is completely rigging the Duma, already an imperfectly democratic institution. In the future, this parliament will consist only of members appointed by party lists, not elected for individual districts, as half of them are now. Nobody will be in a position to challenge the monopoly of power Putin has been accumulating for himself and his United Russia party. In the past 18 months he has been bringing the media and big business under control. Former president Boris Yeltsin selected Putin as his successor, and he approves these further centralizing political moves. Beleaguered as they are, the independent or oppositionist members of the Duma complain, but they are helpless, and ordinary Russians appear apathetic. This contemporary version of the old Soviet party-state is not going to do anyone any good, and it is likely to make the War on Terror that much more difficult to win.

■ Jiang Zemin, the most powerful figure in China for most of the past 15 years, has relinquished his sole remaining official position, chairman of the Central Military Commission. The 78-year-old Jiang has now handed all his positions over to his successor, 61-year-old Hu Jintao, and we may regard the Jiang Zemin era of modern Chinese history as over. The principal characteristic of that era was, of course, a continuation of the breathtaking pace of economic advance that the policies of Jiang's own predecessor, Deng Xiaoping, had set in motion. This progress must be counted a plus for the Chinese people and the world, though the main demand it imposed on Jiang was that he keep out of the way. Outside the sphere of economic reform, everything Jiang did was directed toward the preservation of the Communist party's despotic power, the enriching of the party nomenklatura, the crushing of all attempts to move China toward a rational system of governance, the suppression of religious movements, and the continuing forced Sinicization of Tibet and East Turkestan. A colorless technocrat who rose through the favor of old party hard-liners—and without, of course, any input whatever from the ordinary people of the "People's Republic"—Jiang will soon, and deservedly, be forgotten. The rigid, brutal, and lawless system he served staggers on toward its inevitable crisis.

■ Senate Democrats are holding up the North Korea Human Rights Act, which would provide humanitarian aid to North Koreans, give grants to private organizations that promote North Korean human rights, and give legal and other aid to North Korean defectors. The bill passed the House unanimously in July and was endorsed by the South Korean government (possibly in order to block another, stronger North Korea bill under Senate consideration). But Pyongyang had a fit, calling the legislation absurd and slanderous, and prompting the South to try to put a stop to it out of fear it would jeopardize current negotiations. Meanwhile, working in committee, Senate majority leader Bill Frist and Sen. Richard Lugar opted to "hot-wire" the bill, making it a law unless a single senator objects. Now the Democrats are objecting, under the leadership of Sen. Joe Biden. Though it's unclear what the outcome will be, the bill *should* enjoy bipartisan backing. As the Hudson Institute's Michael Horowitz puts it, "The bottom line is that it shouldn't be so hard for Senate Democrats to pass a bill that no one objected to until Kim Jong Il did." Senator Kerry wants to distinguish himself as a leader, particularly on matters of foreign policy. Making sure that this bill passes would be a good place to start.

■ An election is being held in the world's largest Muslim nation. That would be Indonesia, of course. At the time we go to press it looks as though Mr. Susilo Bambang Yudhoyono is headed for an overwhelming victory over the incumbent president, Mrs. Megawati Sukarnoputri. The idea of a Muslim named Bambang in charge of a nation of 215 million may sound alarming. Mr. Yudhoyono, however, has said he favors a secular society, and has just finished studying for a Ph.D. in economics. No mad bomber he. The election campaign has been blessedly normal, the main voter concerns being terrorism, unemployment, inflation, and corruption. There have been no violent incidents, and a squad of European Union observers looks set to give the election a clean bill of health. Indonesia was Islamicized by missionaries and traders from Arabia back in the 13th century. Perhaps it's time for the Indonesians to send some missionaries back in the reverse direction.

■ Krakow survived the world war unscathed, a monument to the great days of Poland, with its historic castle and cathedral and its market dating back to the Renaissance. Postwar

■ Here are your options for the week of November 13-20: 1) spend it raking leaves, or 2) spend it on the National Review 2004 Post-Election Cruise—with NR editors, numerous luminaries, and nearly 400 fellow conservatives—discussing the elections and current events and having a grand old time. The gangplank is pulling up: This is your last chance to get one of the few cabins still available. Just call 1-800-707-1634 or visit **www.nationalreviewcruise-carib.com**. Or *get your rake ready.*

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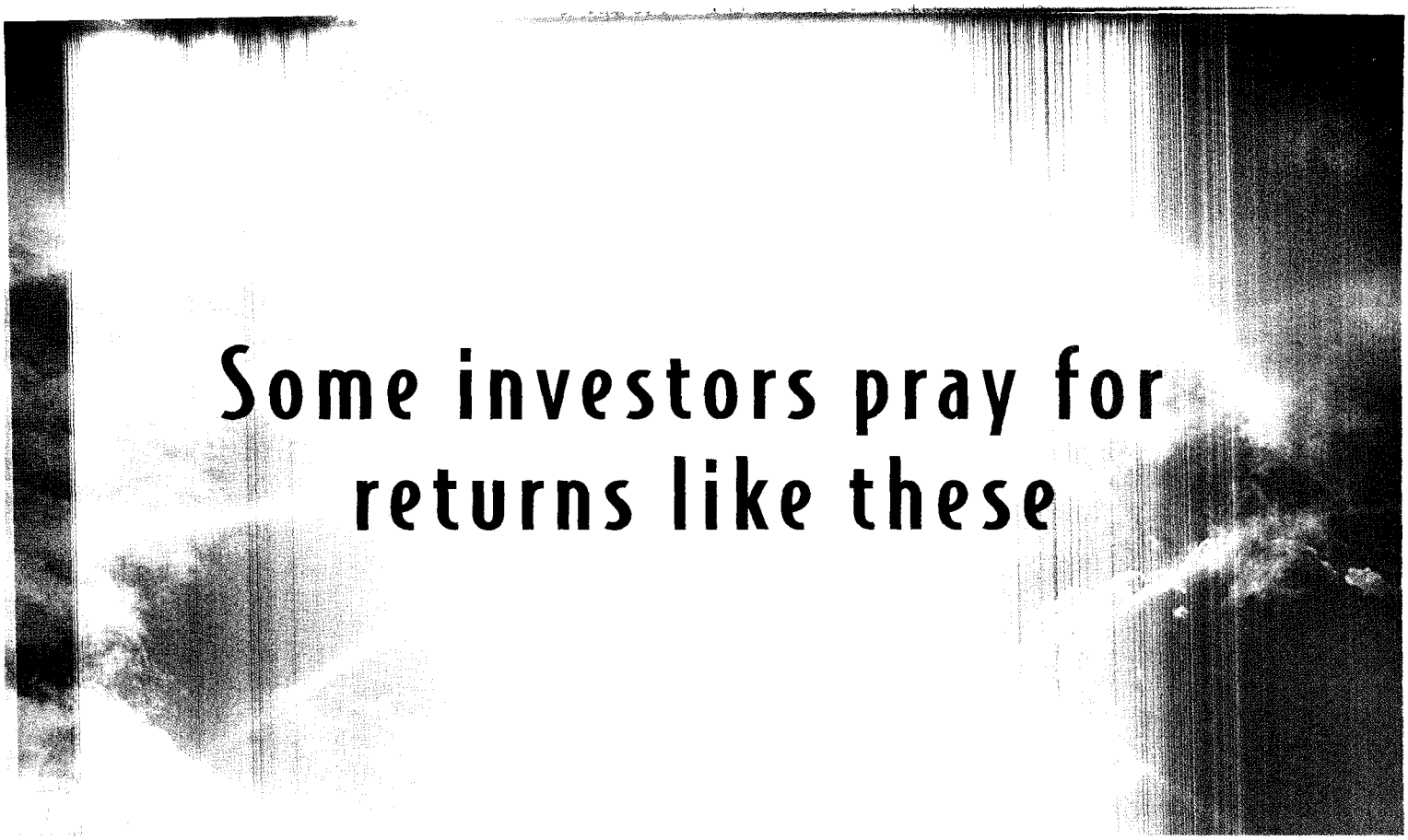

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Communists aimed to change all that by imposing heavy industry on the place in accordance with Marxist doctrine. Nowa Huta, with the unimaginative meaning of New Steel Plant, is the Stalinist horror they built, squatting on top of Krakow and defacing it. In the name of Solidarity, the workforce used to gather in Nowa Huta's Central Square to demonstrate against Communism. Taking his principled stand to support them, Ronald Reagan showed a courage that matched theirs. The Krakow council has just voted to change the name of Central Square to Ronald Reagan Square. A small gesture, perhaps, but a human one, and so fitting that it lifts the heart.

■ They shall tally-ho no longer. Prime Minister Tony Blair, responding to the baying of his Labour party, is close to outlawing hunting with dogs—a longtime bugbear of the urbanized Left. Foxhunting, a centuries-old sport, appeals to mostly rural members of all classes, from dustmen to dukes. It is not, despite what Labour's class warriors insist, the preserve of pink-coated, gout-ridden Tory aristocrats. And even if it were, why should that matter? Banning hunting is not even about animal welfare: Several thousand hounds will have to be gassed, and what will happen to the 40,000 horses kept specifically for hunting? As for foxes, those predatory nuisances, in order to keep the population stable those saved from having their necks instantly snapped by the lead hound will have to be shot, "lamped," or trapped by farmers and conservationists—unpleasant ways to die. No, this ban is about a prime minister cynically sacrificing the traditional liberties of law-abiding Britons to appease his own, seething party. It is an unjust and intolerant law to whose repeal all thinking people should look forward.

■ Modern industrialized processes, from factories to farms, have characteristic noxious byproducts, from smog to hog waste. Kitty Kelley is a byproduct of celebrity. Become tabloid-famous, for whatever reason—supreme beauty (Elizabeth Taylor), great talent (Frank Sinatra), public service, however symbolic (Jackie Kennedy, Nancy Reagan, the House of Windsor)—and Kelley will do a book on you, rehashing all the known scandals, and adding new ones. The revelation of her latest book, on the Bushes, is that George W. Bush snorted cocaine at Camp David when his father was president. Kelley's source is Sharon Bush, brother Neil's former wife, who says she didn't say it. But don't expect that to slow Kelley down. She is only 62, and Michael Jackson, Hillary Clinton, and Britney Spears await her attentions.

■ What constitutes a sex crime in these enlightened times? Modern liberal dogma asserts that for a sex crime to take place, one of the parties must be unwilling, underage, or too feeble-minded to give rational consent. Fair enough; but what if one of the parties is . . . *dead*? In the case of necrophilia, the issue of consent would seem to be moot. So would other issues such as psychic harm to the victim, loss of the victim's reputation, and the possibility of disease transmission or unwanted pregnancy. So who objects to this harmless pastime? Well, apparently the people of California do. Their elected state representatives have passed, and their governor has just signed, a bill outlawing necrophilia, and providing stiff penalties for offenders. "Nobody knows the full extent of the problem," remarked a local law professor. To the purest of libertarians, of course, there *is* no problem. The rest of us congratulate Californians for this affirmation of decency and good sense.

■ The pop singer Madonna has become an adherent of Kabbalah, a body of mystical Jewish lore going back to late antiquity. She has taken a new name, Esther, and become a thoroughly spiritual girl, most recently attending a five-day retreat with 2,000 other seekers-after-enlightenment at a luxury hotel in Tel Aviv. (Apparently a dedication to Kabbalist truth does not require much in the way of world-renouncing asceticism.) Told that his printer, on completion of the mighty *Dictionary*, had remarked, "Thank God I have done with him!" Samuel Johnson replied, "I am glad that he thanks God for anything." We feel the same way about Madonna, and hope that her example will inspire others to seek meaning in life at some level above the earthly or fleshly. We can't help wondering, though, why celebrities seem so often to be drawn toward the most exotic fringes of religious inquiry. Is it too much to ask that the next movie star or pop singer to get religion will go for something less colorful and New Agey—Lutheranism, perhaps?

THE MEDIA

Rather Shoddy

TWELVE days after airing a story that questioned George W. Bush's National Guard service—a story built on forged documents—CBS apologized. So did Dan Rather, personally. Now they should apologize for their apologies. They are still misleading the public, this time about their own conduct rather than that of the president.

The official line from CBS has it that the network had every reason to believe that the story was legitimate, and that it learned only after the broadcast that there were reasons to doubt the authenticity of the documents. The network was "misled." Rather, hilariously, still insists that the documents are real, although he concedes that he cannot prove it. But the truth is that CBS had spoken to experts who doubted the documents' authenticity before the broadcast. And a little due diligence would have made it clear that the documents were probably fake, and that Rather's "unimpeachable source" was a disturbed individual with anti-Bush politics. Moreover, when outsiders, especially bloggers, began to raise questions after the broadcast, Rather's reaction was to smear them as "partisan political operatives." (These critics deserve an apology, too.) "If I knew then what I know now, I would not have gone ahead with the story as it was aired," said Rather. We are entitled to assume that what Rather did not know then, and knows now, is merely that the story would embarrass and discredit him.

Rather has also attempted to argue that his story about Bush's failing to do his duty with the Guard is true even if the documents were false. But this will not hold up. Allegations that Bush

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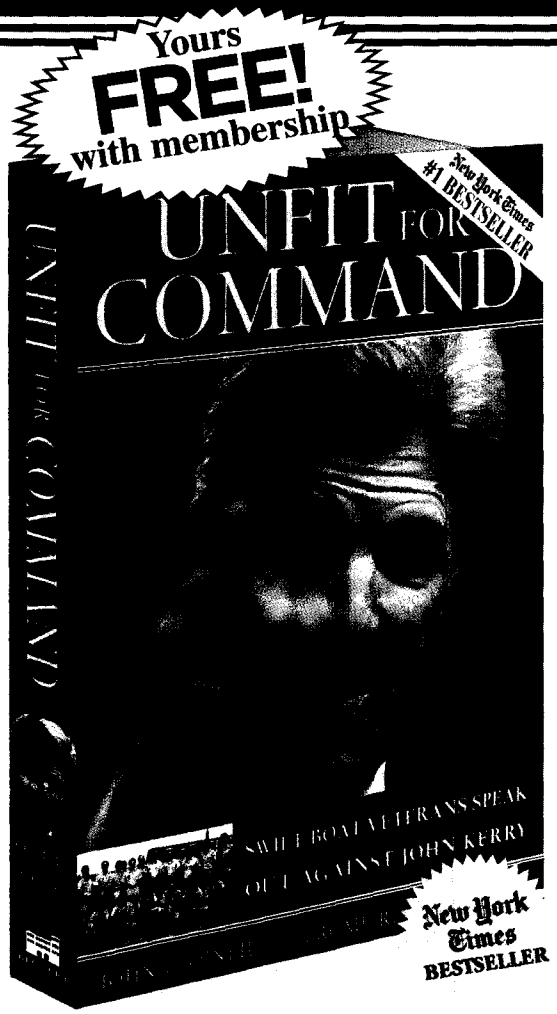
Read the Kerry Book That's Rocking the Election!

Swift Boat Vets Speak Out Against Kerry's "Military Career"



John Kerry is a liar and a fraud, unfit to be the Commander-in-Chief of the United States Armed Forces. That's not just the opinion of American conservatives: As this astonishing new book shows, *most of the men who served with Kerry in Vietnam think this way.* Now, in ***Unfit for Command***, John O'Neill and Jerry Corsi explain why.

O'Neill and Corsi lay bare in this book the hypocrisy and paradoxes of Kerry. They explain how someone who until recently claimed he was a war criminal, who threw away his medals and supported the North Vietnamese with his words, and who even met with enemy delegations in Paris while our soldiers were fighting and dying in the field, can now switch sides to run as a hero of those he condemned as criminal in that war.

This book gives you the whole story: the truth about the service in Vietnam that Kerry has consistently distorted for his own political gain; Kerry's notorious, un-American activities as head of the peacenik group Vietnam Veterans Against the War; his cynical practice of trying to appeal to both sides of the American voting public; and his antiwar activities; and much, much more that establishes beyond all doubt that Kerry is truly unfit to be President, or to hold any public office.

Unfit for Command presents crucial information that the American people should consider carefully as they decide Kerry's fitness to be Commander-in-Chief. If patriotic Americans heed the facts that O'Neill and Corsi present here, they will return this untrustworthy, self-serving political animal to private life this November. Nothing less than our survival as a nation could hang in the balance.

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went AWOL have been around for a long time (and have been debunked in these pages by Byron York). It was the new evidence that CBS thought it had that made the story: the documents, and the testimony of Ben Barnes that he had gotten Bush into the Guard as a political favor. What's left of that evidence? The documents were forged, and Barnes, a major financial supporter of Kerry and the Democrats, is a suspect source.

It is fashionable in some circles to dismiss the importance of the CBS scandal. With American lives being lost every week in Iraq, why dwell on one discredited story? It is true that the war raises the stakes of the election. It also makes it that much more significant that we have a national media that is bent on helping one of the campaigns, by fair means or foul.

CBS can begin to redeem itself by reporting on who forged the documents, and especially on whether the Kerry campaign was involved. And heads should roll, including the anchor's.

notes & asides

■ WFB's remarks on accepting the Manhattan Institute's Alexander Hamilton Award, April 29, 2004

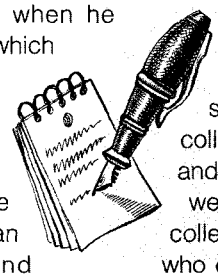
Mr. Chairman, David [Brooks]:

I am glad that I was able, as host of a dinner three years ago, to record full-throatedly my admiration for Robert Bartley—and my confidence in his successor—just after he stepped down as editor of the *Wall Street Journal*. When I heard the awful news of his death, my impulse was that of George Ade. When he saw, on the bulletin board of his club in Indianapolis, the notice that a dear friend had died, he scrawled over it, "It's always the wrong person who dies."

Which reminds me that, per impossibile, Peter Flanigan, who shares this year's Alexander Hamilton Award with Bob Bartley and me, is also mortal. The death knell for him sounded one year ago, when my 20-year-old sloop, *Patito*, defeated his boat in our annual race across Long Island Sound. My *Patito* having then nothing further to prove, I sold her. I recall that Thoreau refined his pencil factory until it produced the perfect pencil. Then he sold it.

Paul Gigot and David Brooks, young and brilliant members of our fraternity, are dear friends and sometime apprentices at National Review. I am reminded that the Manhattan Institute, reciting with justified pride its achievements over 25 years, calls to our attention that it is substantially responsible for welfare reform, for supply-side economics, and for school choice. Up against that, what can I say or do? All that National Review did was discover America.

Time passes and there are setbacks. When entering these hospitable quarters here at the Pierre Hotel, I recalled passing by this hotel in mid November, 1968. An entire floor of it was set aside for Richard Nixon, who had just been elected president of the United States, and would plot his administration in this building. No floors, here or anywhere, were set aside for Richard Nixon when he ended his term of office, which calls to mind that he had weaknesses, in his case, finally disabling. It is, I think, an insight of the Manhattan Institute that the weaknesses of the human race are always sad, and sometimes mortal, and that we need a public alert to the political implications of those weaknesses. On the matter of such weaknesses, I recall that Bishop Joseph Butler in the 18th century deliberated the imperfections of life and acknowledged that if he had created the world, things would have been, simply, better.



Those weaknesses propel us, and in this the Manhattan Institute is a luminous guide, to devise and to stand by institutions and habits of mind that seek to limit misguided social expressions of such weaknesses, even as the police constrain those who give vent to their weaknesses in mayhem and arson. The central political weakness of modern times is the temptation to cope with weaknesses, or compensate for them, by aggrandizing the state, multiplying its responsibilities, and giving it commissions which are beyond its capacities.

These commissions are organically aggressive and demand complicity by everyone. Yes, everyone has to pay taxes to support schools even for schooling they would prefer to replace.

The Manhattan Institute established to the satisfaction even of Congress that some of what had got by as welfare relief had evolved, rather, toward the subsidizing of weaknesses. What is bilingual education, if not a subsidy of weakness?

Such weaknesses are, of course, reflections of individual imperfections. But they can rise to collective levels, as we are seeing in the Middle East. It is too early to say that we are face to face with a collective struggle against freedom and self-rule in an entire nation. But we are certainly contending against collective knots of men and women who every day show their willingness to fight even to the death, especially the death of others, to resist basic liberal reforms. The challenge of our coalition in Iraq is to awaken and to stimulate the desire for ordered freedom, to replace the hypnotic trenchancies of totalitarian and theocratic rule. *Grandfather, what big words you use!*

Well, the Pierre Hotel goes on, as princes rise and fall. Yet we are confident of the survival of the ideals we celebrate, so resourcefully expounded by the Manhattan Institute in its continuing labors for right reason. I am honored to be in your company, and I am weak enough to be moved by the kind words of David Brooks, and the author of the notes about me in the program. Good night, and thank you.

—WFB

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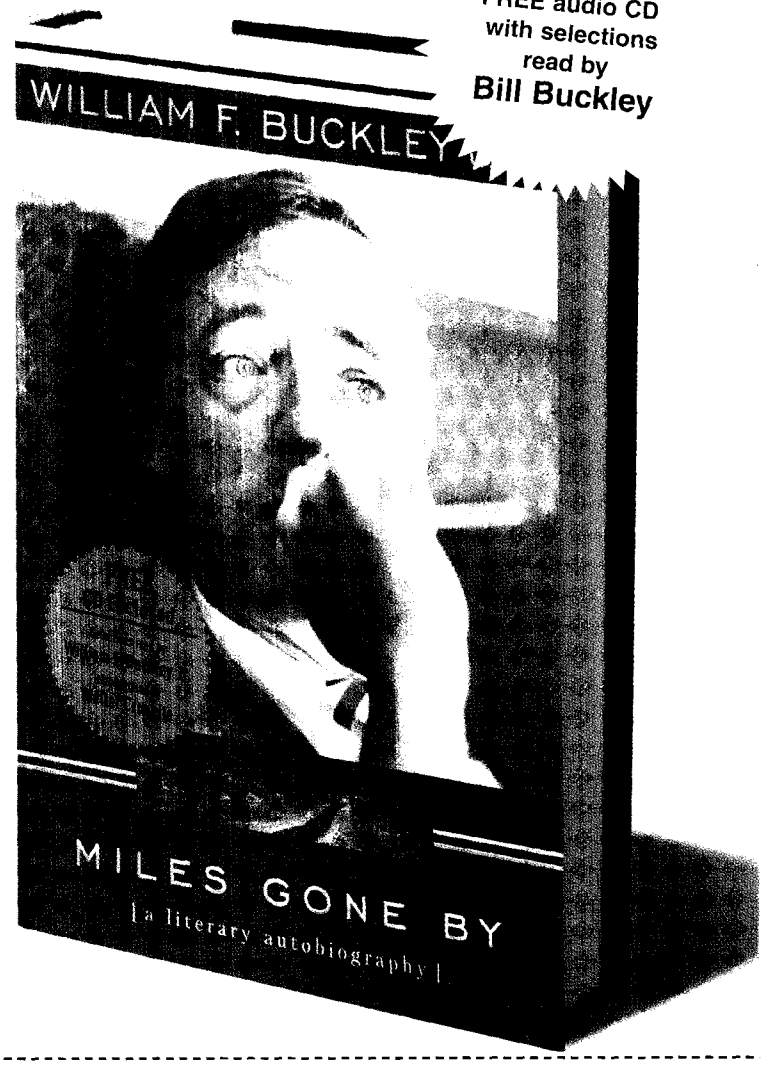

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NATIONAL REVIEW SPECIAL

BLOG GUIDE 2004

There's a whole new media world out there. Anyone who reads National Review Online (NRO) knows it. Trent Lott and Dan Rather can tell you all about it. Rathergate, in particular, has made the old timers in the Mainstream Media (MSM) take notice of the "blogosphere," a truly independent medium. *National Review* made a decision a few years ago to invest resources in being a presence on the web. We're now in a good position to prime newbies to the cyberscene. Herewith a guide to some (but *far from all*) blogs worth browsing.

andrew sullivan

www.andrewsullivan.com

Sullivan became a star in the conservative blogosphere with defenses of the War on Terror and Iraq invasion. Has lost some juice with his frequent resort to name-calling in the course of gay-marriage advocacy and his increasingly erratic positions on the war.

best of the lot

DRUDGE REPORT

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www.instapundit.com

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www.opinionjournal.com/best

***Wall Street Journal*'s daily blog feature has become routine reading for many opinion-makers. Wittily written by James Taranto.**

kausfiles A mostly political Weblog.

www.kausfiles.com

Hosted by *Slate*. Weblog of neoliberal Mickey Kaus. Great media-insider insights, usually bristling with hostility to nytimes. Kaus is a Kerry voter who hates Kerry.

first rank

NRO nationalreview

The Corner

www.nationalreview.com/thecorner/corner.asp

NRO's "24/7" blog. Features staff writers and crew of additional regulars. Jonah Goldberg's "flying monkeys" hang there (Jonah's NRO "Goldberg File" was a blog before blogs were cool). Commentary, reporting, and status reports on John Derbyshire's treehouse build. Refereed by NRO editor Kathryn Lopez, better known as "K-Lo."

Kerry Spot

www.nationalreview.com/kerry/kerryspot.asp

Campaign blog of NRO's Jim Geraghty, devoted to dogging John Kerry. Readership exploded during Rather scandal. Coined the phrase—in response to an MSM put-down of bloggers as guys sitting around in their pajamas—"Pajamahadeen."

David Frum's Diary

www.nationalreview.com/frum/frum-diary.asp

Former White House speechwriter provides daily inside-the-Beltway analysis.

second rank

POWERLINE www.powerlineblog.com
Run out of Minnesota. Broke the Rather-memo story.

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Web designer with an eye to debunking MSM untruths.

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Momma Goldberg. Big traffic. Lotsa links and reader forums.

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■ COVER STORY ■

Not Tiffany, but Tin

CBS is tarnished, along with other houses of liberalism

NOEMIE EMERY

CBS, the old Tiffany network that was the gold standard in the days of the Murrow boys, is cracking up with a vengeance, in the same mode as some other old liberal entities that are also mired in woes. Like dissolute heirs to great fortunes, the descendants of the old Democrats, the Kennedys, and the civil-rights movement have been living for years on moral and political capital accrued 40 years earlier—and have at last used it up. In their minds' eyes, they are FDR, JFK, Martin Luther King Jr., and Edward R. Murrow at their best. In real life, they are Jimmy Carter, Ted Kennedy, Al Sharpton, and, of course, Dan Rather. What all four have in common is a great future behind them, and prospects ahead that seem bleak.

Between 1933 and 1965, between the Great Depression and the year the last civil-rights bill went through Congress, the Democrats turned in a stellar performance. If Franklin Roosevelt's grip on economics was never too keen, he did hold a dispirited country together in difficult times. He was one of the first to acknowledge the menace of Hitler, and when war came he pursued it with vision and ruthlessness. Harry S Truman picked up early on the danger of Stalin, and crafted the framework that would win the Cold War, backed up by other Democrats such as John Kennedy and Henry (Scoop) Jackson. Though not initially eager to take on the issue, Kennedy became the first president to define civil rights as a moral imperative, a cause his successor continued.

But Johnson's second year, 1965, was a point of transition, and the party rapidly went off the rails. Since 1968, they have lost six of nine presidential elections; they have lost Congress and their role as majority party. They haven't had a good new idea or produced a real leader in more than four decades, and their old model—a picture of FDR sitting beside Winston Churchill—has been supplanted by one of Jimmy Carter sitting beside Michael Moore. You'd think this might tell them something, but they remain immune to argument, secure in the view they are still the vox populi. Can't anyone see who they were?

Once upon a time, the civil-rights movement was the national conscience. It fought for a long time, in often desperate circumstances, and success came slowly—first in 1954, then in the early '60s, with bloodshed, before the dam burst. But success was the movement's enemy; it never adapted to new circumstances, under which racism itself was not the main problem. It dropped colorblindness for race-based entitlements, took up identity politics, and declared war on conservative blacks. It turned to race-baiting as an all-purpose weapon. Don't like someone's tax policy? Call him a racist. Don't like his foreign policy? Call him a racist. Don't like his position on Clinton's impeachment? Call him a would-be member of the KKK. Around this time, the NAACP became an adjunct to MoveOn.org, making it their mission to drive up the Democrats' black vote through fear. John Kerry is only too happy to do this: "We are not going to allow them to put a Do Not Enter sign on the White House door," he thundered to the Congressional Black Caucus. This was too much for even the *Washington Post*, which felt compelled to mention that the door was open enough to the many blacks who pass through it en route to their jobs in the cabinet. How long before this behavior becomes just too embarrassing? Don't hold your breath.

Back in the '60s, John F. Kennedy campaigned and won as a centrist Democrat, running to the right of Nixon on security issues. A fairly conservative anti-Communist, he was restrained and ironic; he needled opponents, and never indulged in partisan boilerplate. For this, Kennedy was seen as a refreshing change from the traditional pol, red-faced and ranting, and filled with self-righteousness. Flash forward four decades, and his one living brother is a traditional pol, red-faced and ranting, and full of self-righteousness—given to wholesale and quite vicious abuse of the opposite party. Worse, he is a devotee of the isolationism of their father (that JFK spent a lifetime moving away from); he understands the current terror threat and the need to combat it as well as Joseph Kennedy understood Hitler and the need to fight him. If this were the 1960s, Ted would lambaste his brother as an arrogant ideologue for his pledge to bear any burden and pay any price to certify liberty,

ISMAEL ROLDAN

Noemie Emery is a contributing editor to *The Weekly Standard* and author of the forthcoming *Great Expectations: The Lives of Political Sons.*

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and attack his rush into a nuclear showdown over missiles in Cuba (with no proof whatsoever that the Russians intended to use them) as a plot made up in Massachusetts for political gain. Not surprisingly, the lesser Kennedy is a pillar and symbol of the modern Democratic party, and a great friend to the nasty new civil-rights movement. And all three, of course, are favorites of CBS.

Ah, CBS. Like the Democrats, the Kennedys, and the civil-rights movement, CBS had some great times in the past. Its heyday was the wartime 1940s, when a corps of correspondents stationed in Europe—Eric Sevareid, Charles Collingwood, David Schoenbrun, and of course their leader, Edward R. Murrow—powered the CBS network to a position of prominence, and made themselves household names. As Stanley Cloud and Lynne Olson's *The Murrow Boys* makes evident, the "boys" in their latter days were not always so glorious, but they were a class act in their era, and, not unexpectedly, fostered a legend. And, according to Cloud and Olson, "no one at CBS during the Rather era paid more lip service to the Murrow tradition than Rather himself," to the point of Rather's fabricating a most touching story of an encounter with Sevareid in the Vietnamese jungle, where the older man passed on the torch. "Unfortunately," the authors inform us, "not a word of this charming tale was true." Over time, the primacy of CBS would vanish: "By the nineties, the things that had distinguished CBS News were gone—its world-wide coverage, its commitment to the highest standards of journalism and to serious commentary . . . its impressive libraries, its army of researchers. . . . One by one the network's proud foreign bureaus were closed." CBS News (along with much of what is now called "old media") had moved into the role of permanent opposition to the conservative movement that had begun in 1980 with Reagan's election, continued in 1994 with the Republican seizure of Congress, and reasserted itself after September 11 with George W. Bush's War on Terror. For months, journalists from *Newsweek*'s Evan Thomas to the ABC News weblog "The Note" have been stating the obvious: that the political press corps wants Bush to lose, and has been framing its stories accordingly. "This campaign has been less one between George W. Bush and John Kerry than one between George W. Bush and old media," says Michael Barone, citing, among other things, "the absurd overconcentration on the discredited stories about Bush's service in the National Guard, the huge overcoverage of Richard Clarke's absurd charges . . . the absurd overcoverage of Joseph Wilson's now utterly discredited charges . . . the intense coverage of the Abu Ghraib prison abuses." All four of these cases got lavish and one-sided coverage on *60 Minutes*, the showcase production of CBS News. The prison-abuse story was lovingly produced by the same woman (Mary Mapes) who produced the notorious forgery story, and who has been described as being obsessed with Bush's performance in the Texas Air National Guard.

Until now, however, most media had contented themselves with merely egregiously slanting news that had actually happened. It was left to the Tiffany network and the soi-disant Murrow heir to go on to invent things, or to gladly echo people who did. The Murrow boys in their day made much of their efforts to resist sponsor pressure, or pressure from outside forces, to influence coverage. No one imagined a day when CBS correspondents would go out of their way to actively serve outside forces, making themselves the linchpin of what looks now like a highly coordinated effort by Democrats to revive John Kerry's campaign. By the end of Week One, Rather was reduced to babbling that his memos were fake but accurate, demanding that the president answer charges based on a forgery—and insisting that the word of an 86-year-old Bush-hater, about things supposedly said 30 years ago by a dead man (and vigorously disputed by that man's son and widow), should be reason enough to believe that Rather's charges were right. "It drives me up the wall when I hear people at CBS invoking the name of Murrow," said Sander Vanocur. "Most of them couldn't carry his typewriter. CBS is now like a cult."

"It is almost axiomatic that the more an institution breaks faith with those who built it, the more it sanctifies them," say Cloud and Olson. *Sic transit* the Democrats, the Kennedys, and the civil-rights movement. And, of course, CBS. **NR**

■ **COVER STORY II**

Men, Not Machines

The Internet and cable TV are important, but far from all-important

DAVID FRUM

THIS is the bloggers' hour. The blogs have exposed CBS, beaten the *New York Times*, and made fools of all the professional press critics at the Columbia Journalism School and the Poynter Institute. PowerLineBlog and Little Green Footballs and Instapundit and Hugh Hewitt: They have earned their garlands and their victory lap.

In the days ahead, there will be more work for them to do. There are still many unanswered questions—along with much arrogant spinning by CBS. But as the bloggers, reinforced by talk radio and the cable-news networks, force the truth to light, a word of caution.

There's an idea gaining traction out there that it's technology alone that has upended the old Big Media monopoly. According to this interpretation, computers and the Internet and cable television doomed CBS and the others from the start.

But that's not true. They have the same computers and the same cable technology in Europe, but there the old media companies still reign supreme. It's not technology alone that transformed the media: It's technology plus laws and rules that make it possible for the technology to be used. And those laws and those rules are under attack.

Think for a moment about your AM radio. Twenty years ago, AM broadcast pop music and news bulletins. Today it carries hours of conservative talk. What

Mr. Frum is an NR contributing editor, a blogger on NRO, and the author, most recently, with Richard Perle, of *An End to Evil: How to Win the War on Terror.*

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changed? Not the AM band—it functions exactly the same as it did in 1984 or, for that matter, in 1934. What changed were the rules. Up until 1987, any radio station that allowed time for partisan comment had to allot an equal amount of time to the other side—with the Federal Communications Commission deciding what counted as "the other side." Daunted by that regulatory burden, AM radio stayed away from politics altogether. It's not a coincidence that Rush Limbaugh emerged as a national voice only after the so-called Fairness Doctrine was abolished—and that liberal Rush critics have repeatedly tried to reinstate the old rule ever since.

Or think about the Swift Vets ads. Maybe you saw them on the Internet. But they were there for you to see only because senators John McCain and Russ Feingold failed in their attempt to amend U.S. election law to prevent citizens—like the veterans—from making their voices heard during election campaigns. As McCain's chief of staff, Mark Salter, explained soon after the 2000 election: "Growing numbers of members running for reelection feel they are losing control of their campaigns. It's not just independent-expenditure committees running ads against them that are the problem; it's the groups running ads for them that can turn out to be counterproductive, with uncoordinated messages which the candidates cannot influence."

You can soon expect to hear much sober chin-pulling about the "dirty" campaign of 2004—and the need once again to reform the campaign-finance laws so as to extinguish non-candidate election speech once and for all, as has been done in Canada and much of Europe.

That's one aftershock we can expect. Another is the continuing rise of liberal mistrust of the media, one of the most important ideological phenomena of the past four years. Bloggers, by themselves, would have little effect if talk radio and Fox News did not pick up and amplify their work. So Fox too now finds itself in the gunsights.

If you listen to mainstream Democrats—not frothing Chomskyites, but people who comfortably voted for Bill Clinton and Al Gore—you suddenly hear them sounding like Reed Irvine in 1977. And on the subject of Fox they become almost unhinged. *Outfoxed*, a documen-

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tary attacking the news network, opened on 2,800 movie screens in July and is being promoted by Democratic surrogate groups MoveOn.org and the Center for American Progress. Fox looms large in Dan Rather's paranoid fantasies: When a local Fox reporter cornered Rather at Dallas airport on Sept. 18 to ask whether he felt "duped," Rather snapped, "Do you feel like you were duped—working for Fox like you do?"

After criticizing Fox, liberal activists began attempting to compete with it: That seems at any rate to have been the idea behind Al Gore's new cable network. Its launch, however, promises to be a disaster: Gore's principal content is repackaged footage from the Canadian Broadcasting Corporation (not that there's anything wrong with that!). Should American viewers prove unresponsive to secondhand Canadiana, the critique of Fox may get more radical.

Technology does make certain changes possible. But law determines whether those possibilities become realities. Back in the 1980s, Ted Kennedy tried to manipulate antitrust policy to strangle Rupert Murdoch's emerging television empire. But since then, American law has tended to favor media upstarts and independent voices. Over the past half-dozen years, powerful liberals and Democrats have woken up to the harm that has been done them by the breakup of the old media oligopoly.

When John Kerry first appeared on the national scene, in the spring of 1971, the big networks made a celebrity and hero of him. On the White House tapes recorded at the time, President Nixon can be heard forlornly asking H. R. Haldeman and Charles Colson how they could challenge Kerry's allegations and get their own story out—but to little avail. In those days, the big networks, backed by the two big newsmagazines, and the three or four nationally influential newspapers, were more than a match for the power of the presidency.

As the networks have lost their power, so too has American liberalism. And one way to understand so much of what liberals now propose by way of "reform"—beginning with their highest priority, campaign-finance legislation—is as a series of attempts to curtail independent media and restore the old oligopoly.

RICHARD B. LEVINE

Fox looms large in Dan Rather's paranoid fantasies.

And we will hear more about all of this after the election. Many liberals and much of the Left have persuaded themselves that the loss of media power is to blame for their loss of political power. They will be out to rectify that loss. They will seek, they are already seeking, ways to put an end to the media diversity that laid Dan Rather low. And nobody who values independence in media should delude himself that modern technology is invulnerable to control masked as "reform."

The onslaught is coming. Get ready for it. **NR**

■ **COVER STORY III**

One Vet's Valor

B. G. Burkett is a myth-buster, a truth-teller, and a hero

KATE O'BEIRNE

OVER the past 20 years, determined Vietnam veteran B. G. "Jug" Burkett has succeeded in challenging hundreds of phony military records—but he has *not* succeeded in holding the media accountable when they carelessly rely on bogus service stories to make political points. Burkett is now getting some welcome reinforcements: the corps of amateur experts whose instant analysis demolished the credibility of CBS's purported Bush National Guard records. (B. G. Burkett is not to be confused with Bill Burkett, the man who gave the phony documents to CBS.) "The Dan Rathers of the world can no longer put up a story and have everyone nod approvingly," he declares. "The Internet has changed the landscape."

Burkett's crusade to debunk pervasive myths about his fellow veterans has made him a post-Vietnam War hero. In 1986, he fired off a letter to his local TV station—and to the chairman of the board of CBS—to protest the affiliate's egregious failure to correct the record about a mass killer's purported Vietnam service; he received no reply. It was Burkett's first experience with the media's stubborn disregard for the truth when it conflicted with their preferred storyline. Over the next two decades, such blow-offs would become a routine occurrence for this dedicated one-man truth squad.

A month before Burkett's first letter, he had agreed to help raise money for a memorial to honor the Texans who were killed or missing in action in Vietnam. One veteran warned him that it wouldn't be easy, recounting that when he had

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approached one of the wealthiest men in Dallas for a donation, the response was, "Why the hell should I give any money to those bums?" Burkett himself is a successful financial adviser, and the veterans of his acquaintance are equally successful in life; but he quickly learned that the Vietnam veteran of national stereotype was a far different creature. In his 1998 book, *Stolen Valor: How the Vietnam Generation Was Robbed of Its Heroes and Its History*, he recounts that "the public's perception of Vietnam veterans became abundantly clear. They were losers, bums, drug addicts, drunks, derelicts—societal offal who had come back from the war plagued by nightmares and flashbacks that left them with the potential to go berserk at any moment." They were like Patrick Henry Sherrill.

On August 20, 1986, Sherrill killed 14 employees in a post office in Edmond, Okla., before turning the gun on himself. The local news reported that Sherrill was a Vietnam veteran, and repeated that assertion even after a Navy spokesman had said it wasn't true and Burkett had contacted the news room and told them about the Navy's statement. Sherrill had served stateside in the Marine Corps in the mid-Sixties. Burkett concluded that the only thing most people would likely remember was that a "Vietnam vet" had killed 14 people, and noted the terrible irony that went largely unreported: Two of the seven men killed by Sherrill were real Vietnam veterans, one the grandson of Knute Rockne.

'The public's perception of Vietnam veterans became abundantly clear. They were losers, bums, drug addicts, drunks, derelicts.'

Two years later, another "violent Vietnam veteran kills" story exploded in Texas and Burkett filed a FOIA request for the killer's records. He learned that he had entered the service 17 months after the last combat troops had left Vietnam. This information was available to any reporter who cared to check but, as Burkett was also learning, reporters didn't care. The local paper's publisher responded to Burkett's letter pointing out the error with a condescending note about the "special problems" faced by Vietnam veterans and refused to correct the story. The refusal launched Burkett on a mission that would result in his becoming an expert witness in military-criminal cases, an indispensable research asset for academics and journalists, a uniquely knowledgeable media critic, and, with Texas journalist Glenna Whitley, co-author of the acclaimed *Stolen Valor*.

To assist in his fundraising for the Texas memorial, Burkett bought computer tapes listing all American casualties and POWs in Vietnam from the National

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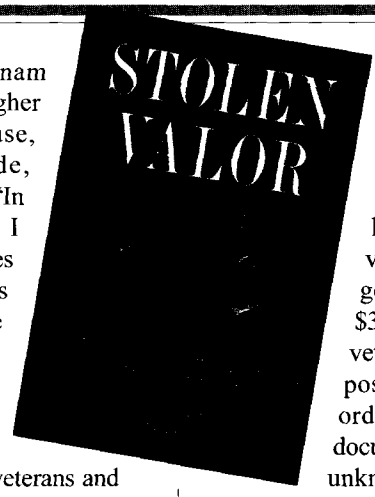
Archives. He was told that no one had ever requested these data before. By 1989, the Texas memorial had been funded and Burkett was embarked on a far bigger project. He was filing daily FOIA requests and had become an informal clearinghouse with nationwide contacts who shared information on phony war stories. When he found documentation that veterans cited in news stories had lied about their war service, he would contact the journalist and offer to provide a copy of the veteran's military record. "Whether they were with the *New York Times* or the *Podunk Press*," Burkett recalls, "journalists rarely attempted to verify the stories they wrote on veterans' personal histories. Few wanted to acknowledge they had been fooled."

At a conference in the spring of 2000, Mark Bowden, the author of *Black Hawk Down*, was incredulous when he heard Burkett's accounts of the media hostility he routinely encountered when he attempted to correct the kind of reporting that contributed to the slander of Vietnam veterans. Bowden found it hard to believe that his fellow journalists would ignore Burkett's documented facts, thereby helping to spread "enduring falsehoods about the Vietnam War." But—in an article titled "Lies and More Lies," in the October 2000 issue of *Brill's Content*—Bowden concluded that was exactly what had happened.

In addition to debunking individual stories, Burkett also began collecting research data to counter the media's stereotype of Vietnam veterans. "The press portrayed us as victims, marched off to war, maimed, poisoned, drug-ridden from our trauma, then dumped back on society." Referring to the anti-war protests in the early 1970s, Burkett notes that "John Kerry did more than anybody to create that image when he brought those bums to Washington."

Burkett's exhaustive research thoroughly debunked the myth represented by Kerry's ragtag band of angry, disaffected protesters. When compared with their non-veteran peers, Vietnam veterans do not have higher incidences of drug abuse, unemployment, suicide, divorce, or homelessness. "In every category for which I could find statistics," writes Burkett, "Vietnam veterans were as successful or more successful than men their age who did not go to Vietnam." Vietnam veterans on average have higher incomes than non-veterans and are more likely to have a college education and own a home. In contrast to John Kerry's portrayal of disillusioned victims, a *Washington Post* survey taken in 1985—the tenth anniversary of the fall of Saigon—found that 91 percent of those who served in Vietnam were "glad they served their country."



Burkett thought he was signing on for a short project, but he ended up exposing more than 1,200 bogus Vietnam War records, including those of prominent activists, celebrated war heroes, criminals, politicians, and even a well-known actor. For years, Brian Dennehy publicly maintained he was a Vietnam combat veteran, telling a *New York Times* reporter in 1989 about his combat wounds, and holding forth about the brutal realities of combat in a 1993 *Playboy* interview. Burkett's examination of Dennehy's military records showed that during his four years on active duty his only overseas assignment was in Okinawa in 1962, and there was no record of his having ever been wounded.

Burkett has exposed more than 1,200 bogus Vietnam War records, including those of veteran activists, celebrated war heroes, criminals, politicians, and even a well-known actor.

Last year, Burkett was awarded the Army's highest decoration for civilians, the Distinguished Civilian Service Award. The decoration represents the debt owed Burkett by the 2.7 million veterans who served in Vietnam whose honorable records and reputations he has tirelessly defended. At the award ceremony, an undersecretary of the U.S. Department of Veterans Affairs explained that in addition to restoring their good name to Vietnam veterans, Burkett "exposed a mass distortion of history that cost taxpayers billions of dollars" in undeserved veterans benefits. The government pays up to $3,000 a month to Vietnam veterans with symptoms of post-traumatic stress disorder (PTSD), and bogus documents have qualified an unknown number of phony veterans for these benefits. Burkett explains that he recently helped conduct a VA study of 100 such alleged PTSD victims chosen at random. They found that "only 39 percent were in remotely close contact with combat, and some were never in the military." Over a lifetime, phonies can collect a million dollars each in VA benefits.

One of Burkett's most shocking accounts of the media bias responsible for the distorted image of Vietnam veterans involves a 1988 CBS documentary, *The Wall Within*, hosted by Dan Rather. The hour-long special featured horrific accounts of murder and mayhem witnessed by six purported Vietnam veterans with post-war histories of drug abuse, alcoholism, homelessness, and despair. The atrocities and ruined lives were apparently "too good to check": By consulting records that CBS failed to research, Burkett found that only one of the veterans had actually served in combat. Burkett contacted CBS with his documentation and the Veterans Administration shared its data refuting CBS's assertions about the high incidence of homelessness and mental illness among Vietnam veterans. The producers defiantly stood by their bogus story and the president of CBS defended the broadcast. After recounting the sorry episode of journalistic malpractice, Burkett wrote: "Why won't Rather and CBS admit their 'documentary' was a fraud, that it perpetuated an unwarranted, false picture of men who fought in Vietnam?"

Sixteen years ago, the indefatigable B. G. Burkett was fighting a lonely battle to hold the media accountable. With reinforcements in the blogosphere and new media, CBS finally has to say, "We're sorry." **NR**

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■ **COVER STORY IV**

Oh Happy Day!

Ding dong, the witch is . . .

JONAH GOLDBERG

ACROSS the media universe the questions pour out: Why is Dan Rather doing this to himself? Why does he drag this out? Why won't he just come clean? Why would he let this happen in the first place? Why is CBS standing by him? Why . . . why . . . why?

There is only one plausible answer: Ours is a just and decent God.

Yes, I know: Schadenfreude—taking pleasure in another's misfortune—is sinful in itself, and suggesting that the Almighty is in on the fun makes it doubly so. But what other explanation could there be? At every turn Dan Rather has had the opportunity to do what is both right and smart and instead he's gone with Plan B. The metastasizing clownishness of Rather's entire persona is one of the most glorious and enjoyable spectacles of the modern media age. If these trends continue, by the middle of October Rather will be showing up to read the news in a giant orange wig, shiny red nose and a flower that squirts seltzer whenever he mentions one of those hurricanes he loves so dearly. It is quite simply The Greatest Story Ever.

Yes, yes, yes: The finger-waggers and eat-your-spinach types are right—there *are* more important stories in the world. Iraq and the War on Terror are more significant than the spectacle of watching Dan Rather take himself apart like a robot ordered to put itself back in the box. But two points need to be made. First, this *is* an important—and breaking—news story. The so-called Tiffany Network's Tiffany newscast and Tiffany newscaster got caught trying to peddle knock-offs like some street-corner hustler with a box of watches stamped "Rollecks." And, unlike virtually every other major news organization that has been snarled in a gnarly journalistic scandal—*The New Republic* and Stephen Glass, the *Times* and Jayson Blair, the *Washington Post* and Janet Cooke—CBS has responded like a besieged political operation, ranting about "partisan political operatives" the way Nixon talked about his enemies in the final days. (The only difference: Nixon's paranoia was justified.)

According to the Hieronymus Bosch scene in Dan Rather's imagination, even the *Washington Post* and ABC News are participants in the Vast Right Wing Conspiracy, determined to keep serious questions about President Bush from seeing daylight—something even James Carville couldn't say without bursting into laughter. All the while, the evidence of collusion between his staff and the Democrats mounts. I'm waiting for Rather to emerge, bleary-eyed, into the press briefing room to insist "I did not have word processing with that document" and then blame everything on Ken Starr.

Second, and more important, if we, as Americans, cannot take a moment to relish the comeuppance of the most enduringly pompous partisan yutz in Elite Journalism then the terrorists will have won.

So until someone proves that Michael Moore has been cashing checks from Osama bin Laden, this is the Greatest Story Ever. Oh, did I say that already? Who cares? It really *is* the Greatest . . . Story . . . *Ever*.

But why is it so enjoyable? One is reluctant to count the ways for fear of diminishing the joy of the whole by concentrating on the parts. Even beautiful paintings can seem utilitarian once you start talking about brushstrokes and canvas. And this story really is God's Own Piñata: You can bash it from any angle and nothing but sweet, sweet goodness flows out.

Nonetheless, there are some confections in the piñata pile especially worth savoring. First, of course, is plain old comeuppance. For his entire career Dan Rather has insisted on saying a palpably untrue thing in the most dismissive and condescending tones possible: that he is not remotely liberal. Even better, he's insisted that liberal media bias itself is "one of the great political myths." In speeches, books, and interviews, Rather has told anybody who cared to listen that the whole media-bias thing was just a canard concocted by knuckle-dragging conservatives to, in his words, "force you to report the news the way they want you to report it." And yet there is simply no conceivable way this debacle could have transpired without liberal—or anti-Republican—bias. *60 Minutes* executive producer Josh Howard admitted to the *Washington Post* that "we completely abandoned the process of authenticating the documents." No sane, honest, or knowledgeable person would ever believe that such a breakdown could occur in pursuit of a story brought to *60 Minutes* by, say, Swift Boat Vets for Truth.

Then there's the underdog aspect. While the *Washington Post* and ABC News have done admirable work truth-squadding Rathergate, the fact remains that the folks who were there first were what National Review Online's Jim Geraghty has dubbed the "Pajamahadeen." In the early days of the story, a former CBS News executive ridiculed the notion that a bunch of rubes from the sticks had any right to question the methods of the Great and Mighty CBS Eye. "You couldn't have a starker contrast between the multiple layers of checks and balances [at the network] and a guy sitting in his living room in his pajamas writing," he declared in defense of Rather. Of course, the pajama brigade was not only right, but it became increasingly clear that many of them were more qualified to authenticate the documents than many of CBS's own experts. And even some of those experts warned Rather & Co. beforehand that the memos were dubious—but CBS rushed the story anyway and then tried to muzzle their own experts to keep their shoddy methods secret. But it unraveled anyway. Think of the CBS logo as the Eye of Mordor in *The Lord of the Rings*: It claims to see all, know all, conquer all, and yet two hobbits manage to sneak up on it and knock the thing over.

And of course one cannot leave out the exquisitely Shakespearean denials by CBS. More than a week in, Rather was still insisting that his source was "unimpeachable." (Now that we know he got them from Bill Burkett we have to wonder how Rather defines "unimpeachable.") He boasted to the *Post*'s Howard Kurtz that he'd like to be the one to "break" the story that the documents were faked. (Rather's close to breaking a few other stories, including "Lindbergh Baby Kidnapped!" and "Bears Use the Woods as Bath-

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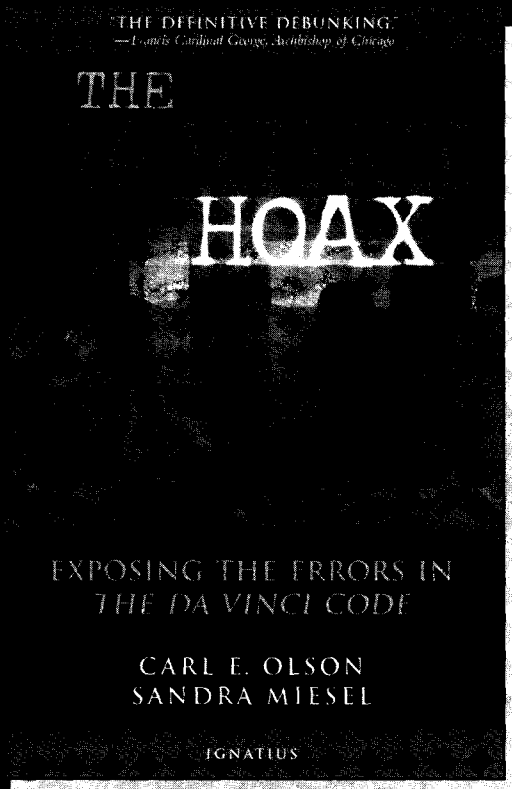

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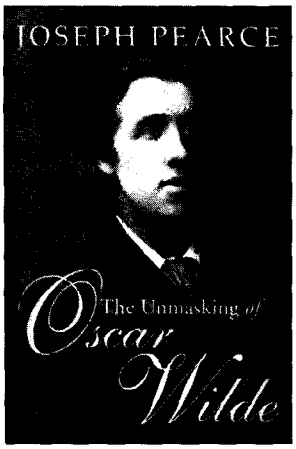

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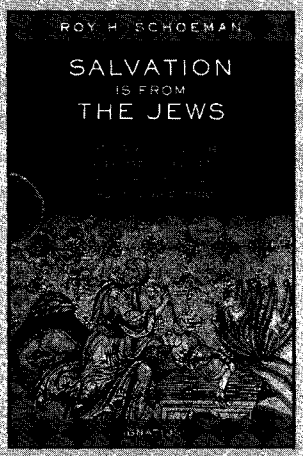

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rooms.") Andrew Heyward, the president of CBS, kept insisting, "There's such a ferocious debate about these documents," as if the world were divided between credible people who believed the documents were real and credible people who did not, when in fact the only people—save a few left-wing bloggers—who clung to the authenticity of the memos were the beleaguered bastards at CBS News itself who feared the All-Seeing Eye would activate their pain collars if they broke with the party line.

But I think my favorite part may well be the new meme: "fake but true." First of all, we should note that while CBS never used these exact words—they come from a *New York Times* headline—they will be indelibly written into CBS's biography, in much the same way that Jimmy Carter never mentioned "malaise." That's because this was and is CBS's position. Rather kept trying to take the focus off of himself by hectoring reporters to deal with the "thrust" of his story—i.e., "Why I Hate George W. Bush, by Dan Rather." He even said in the *New York Observer* that "the longer we go without a denial of such things—this story is true." To which the only reasonable response is for me to now reveal in these pages that Dan Rather eats a live capuchin monkey for breakfast every morning—and the longer he goes without a denial, *this* story is true.

What makes the fake-but-true defense so enjoyable is that it's the tip of an enormous iceberg whose base reaches deep into the Left's past. From Georges Sorel on, the Left has nurtured an abiding faith in the vital lie, the myth that speaks to a "higher truth." That Dan Rather could offer the Tawana Brawley defense after decades of righteous bloviation about how he's a just-the-facts kind of guy is too delicious.

When this went to press, Dan Rather had just admitted he was "sorry" that his source lied to him about "one" thing. Next comes the internal investigation, the inquiry into how the memos were made, and the probe into the extent of the involvement of John Kerry's campaign. Normally, when a ship is sinking, you throw the anchor overboard. The good news is that CBS is clinging to theirs. In other words, I'm buying some more popcorn and another case of beer. Because this is the Greatest Story Ever. **NR**

■ **CAMPAIGN 2004**

The Kerry Comeback

How it could happen

RAMESH PONNURU

THINGS are looking pretty grim for John Kerry as I write in mid-September. A few polls have him trailing President Bush by double digits, with Bush way ahead on national security and pulling even on traditional Democratic issues such as health care and education. During the summer it looked as though Kerry might be able to win Ohio, West Virginia, and other states that had backed Bush in 2000. Now Bush is raiding Democratic territory: He is leading in Wisconsin, and probably tied in Minnesota. Not a day goes by without talk of a shake-up in the Kerry campaign. Some Democrats have decided not to wait until election day to start their recriminations.

For all that, there is still a chance for Kerry to win the race—if he can find a plausible position on Iraq and stick to it.

First, Kerry and his aides have to come to grips with the dimensions of the problem. The theory that has guided the campaign until now has been disproved. During the Boston convention in late July, I heard Democratic pollster Stanley Greenberg tell a roomful of party activists that the American public had already fundamentally rejected Bush and the Iraq war. Kerry could win by being an acceptable alternative to the unacceptable incumbent—and victory in the House and Senate was within sight. Greenberg may have been catering to his audience when talking about the congressional elections. But his view of the presidential race was his party's conventional wisdom.

Bush's success since his convention has also invalidated the assumption that the country is divided 50-50 and that the campaigns will have to win state by state. Bush's lead means that Kerry has to fashion a national message. It also means that he has to appeal to swing voters at the same time he is trying to keep his base from getting demoralized. One sometimes gets the impression that Kerry's current campaign strategy is to wait for bad news from Iraq to trip up the president.

Yet there are also slivers of hope for Kerry. Democratic analyst Ruy Teixeira argues that the polls that have Bush up by 10-13 points can be dismissed. Those polls have a higher-than-average number of respondents claiming to be Republicans. The percentage of people who identify themselves as Republicans changes over time, but usually more slowly than this. Teixeira thinks that Republicans became more enthusiastic about the president, and about talking to pollsters about him, after the party's convention. He also says that the media are overemphasizing Bush's sizable lead among "likely voters," when the more important number is his small lead among registered voters. His argument on this point is that polls taken several weeks before an election are better at capturing voters' inclinations for one candidate over another than at guessing their likelihood of voting. His conclusion is that Bush has gained since late July, but that his lead is closer to 3 points than 13. Kerry remains within striking distance.

The obvious place for Kerry to turn is to two old Democratic standbys: Social Security and health care. Bush's policies may have made those issues more potent than usual.

Democrats, in the closing days of campaigns, traditionally accuse Republicans of being out to shred Social Security. Al Gore tried this tactic in 2000—and it worked, to some extent. The last weekend of that campaign saw the race tighten dramatically: Bush had led the national polls by 3-5 points, but ended up, as we all know, with a photo finish. The top two political events of the weekend were the revelation that Bush had been arrested for drunk driving and the airing of the Social Security ads.

As president, Bush appointed a commission that made the case for letting workers invest some of their contributions to Social Security. He reiterated his support for the idea in his convention speech. The appeal of that idea to millions of Americans who have 401(k)s has doubtless reduced the old Democratic edge on Social Security—but the edge

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isn't gone, and Kerry will almost certainly move to take full advantage of it. The question is one of timing. Kerry may not be able to wait until the end of the campaign: His supporters are becoming demoralized now, and their demoralization could drag him down further if he doesn't strike soon.

Both Bush and Kerry have been selling their health-care policies in campaign appearances. In his convention speech, Bush promised a future in which Americans would own their own health-care policies. People would like to have more control over their health care and to be able to take their policies from job to job. But Bush's policies can easily be caricatured as giving people the "opportunity" to pay out-of-pocket for things their insurance now covers. (The reason this attack would be unfair is that a health policy that covers only catastrophic illnesses is so much cheaper than standard insurance policies that paying out-of-pocket expenses would still leave people better off.) Kerry will also find it easy to round up Democratic health-care experts who believe that Bush's health savings accounts will cause premiums to go up as healthy people leave the insurance pool.

Finally, there's the issue of the president's tax policy. Democrats say that Bush, by reducing the multiple taxation of saving and investment, has favored "wealth" over "work." I think the growth of the new investor class makes the Democrats' argument a hard sell with the public. But we won't know for sure until they try to use the issue in a campaign.

Domestic issues will not be enough, by themselves, to win the race for Kerry. There are still Democrats who think otherwise, and they are not all doves. Sen. Evan Bayh of Indiana, a hawk, told the *New York Times* after the Republican convention that Kerry had to stop talking about national security and turn to domestic issues where the Democrats have an advantage.

Donna Brazile, Gore's campaign manager, thinks that going the domestic route is a mistake. "That was the 2002 strategy," she says, referring to the Democrats' midterm drubbing. "I would think that most Democrats would learn a lesson from that. In the post-9/11 world, you cannot just campaign on what people see as your strengths. You also have to campaign on the underlying question of who will keep us strong and secure. After you do that, you can connect with people on other issues."

She's right. The Democrats cannot win a national election in wartime when the public favors the Republicans on national security by 20 points. Bush is running as a wartime commander-in-chief. He will not be ousted as commander-in-chief unless Kerry makes the case that he has been an ineffective one.

Kerry has several problems in making this case. There is no place he can go on Iraq that he has not already been. He has said so many conflicting things about it that his every word will count as a flip-flop. Nobody thinks he has a better plan than the president for dealing with Iraq, because nobody really thinks that Kerry will get new allies to do more of the fighting and the dying there.

Kerry's best bet on Iraq is probably to promise to accelerate the "Iraqification" of the war—to say that he will devote more resources to training Iraqis to do the job so that we can leave earlier. His larger task is to try to persuade the public to separate the war in Iraq from the larger war on terrorism. He can then get to the president's left on Iraq while getting to his right on terrorism: pounding Bush for taking out Saddam Hussein rather than Osama bin Laden.

If Kerry wants to continue to straddle on whether he supported the Iraq war, he still has options. *Time* columnist Joe Klein gave Kerry a smart piece of advice. Klein said that Kerry, in a debate, should challenge Bush to make a decision: either fight the Iraq war, going into the Sunni triangle, or get out. That tactic makes a virtue of Kerry's ambivalence by hitting Bush from both sides at once.

Whatever Kerry decides, he had best do it fast. In the two weeks after the Republican convention, all he has done is to cater to his base: expressing its fury at Bush's campaign tactics, attacking the Republicans for letting the assault-weapons ban expire even though most Democrats know that gun control is a vote-loser, talking about outsourcing, and making antiwar noises without taking an actual antiwar position. These tactics won't erase Bush's lead. And the clock keeps ticking mercilessly away. **NR**

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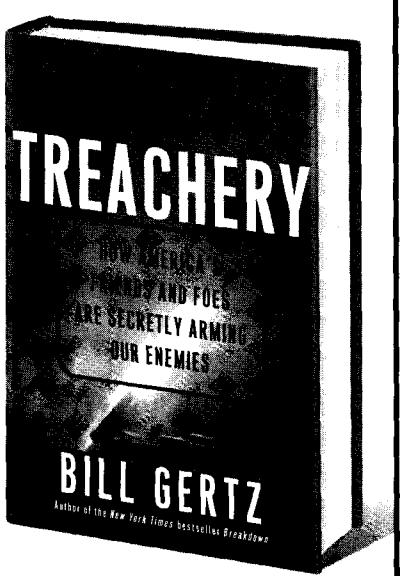

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■ THE SENATE

Banking on the Brewer

In Colorado, Republican hopes rest on Pete Coors

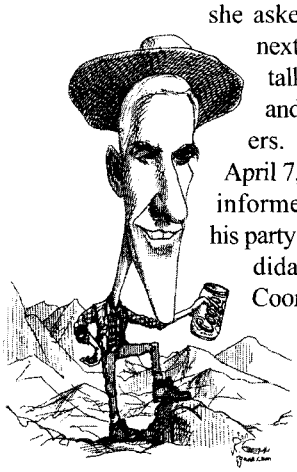
JOHN J. MILLER

Grand Junction, Colo.

On April 4, Pete Coors was on his way to church with his wife, Marilyn, when conversation turned to Colorado's Senate race. Ben Nighthorse Campbell, the GOP incumbent, had issued the surprise announcement that he would not seek reelection, and Republicans were scrambling to come up with a new candidate. All of the likely aspirants—the governor, lieutenant governor, and five GOP members of Congress—had declined to get in. The Democrats, meanwhile, had no such trouble: They quickly rallied behind attorney general Ken Salazar, who was widely seen as a formidable contender no matter which Republican stepped forward.

"Hickenlooper told me I should run," said Coors to his wife, referring to Denver's Democratic mayor, John Hickenlooper. "He said Colorado could use another brewer in public office."

Hickenlooper owns a microbrewery, and the macrobrewer Coors suspected that his friend was just joking. But he took the idea seriously, and so did Marilyn. For years, Coors had expressed a desire to enter politics at some point. "If not now, when?" she asked him. Over the next two days, Coors talked to his children and state GOP leaders. On Wednesday, April 7, Gov. Bill Owens informed the press that his party finally had a candidate. "I think Pete Coors would make an outstanding senator," he said. When Owens spoke these words, many Republicans in Colorado and Washington breathed a deep sigh of relief. If Coors hadn't decided to enter the race, the GOP probably would have nominated former congressman Bob Schaffer—a solid conservative, but also a man Owens and others thought Salazar would easily beat in November. "Bob's the kind of guy you appoint to fill a vacancy," says one top Colorado Republican. "He's not someone you nominate for a general election." On August 10, Coors overwhelmed Schaffer in the primary, 61 percent to 39 percent.



The 58-year-old Coors brings not only a strong brand name to the table, but also a familiar image: For more than a decade, Americans have watched him wander around the Rockies and talk about beer during timeouts in televised football games. The real Pete Coors is much like the plainspoken guy he plays in his company's commercials, with ruddy good looks and hair that's as silver as a can of Coors Light. He is the great-grandson of Adolph Coors, the man who founded the Golden, Colo.-based company that is now America's third-largest brewer.

Coors is a favorite brand name among conservatives, too. The candidate's father, the late Joe Coors, was a member of Ronald Reagan's "kitchen cabinet." His work as a philanthropist was even more important: In 1972, he wrote a $250,000 check that helped establish the conservative movement's preeminent think tank. "There wouldn't be a Heritage Foundation without Joe Coors," says president Ed Feulner. (Pete's mother, Holly, continues to sit on the Heritage board.) Many other right-of-center organizations have benefited from Coors-family largesse, either directly from individual members or indirectly from the family-run Castle Rock Foundation.

Before this year, Pete Coors had attended only one GOP convention: in 1976, as a Reagan delegate. "My father told me, 'I'll do the politics and you do the beer,'" he says. And so the son did the beer, working at the brewery and rising to become chairman of the board. All the while, he pondered politics, even telling the company's CEO to expect his sudden departure when the right opportunity presented itself. And this spring, when Colorado appeared to lack a Republican both willing and able to defend a Senate seat, Coors saw his unexpected chance and seized it.

The Coors name has yielded enormous advantages. Virtually everybody in Colorado knew about Pete Coors long before he announced his candidacy, and on the campaign trail people often ask for his autograph or a picture. This means Coors hasn't had to devote resources to what is usually a rookie candidate's first test: raising name recognition among an indifferent electorate.

Despite this, Coors encountered a few early problems, many of them arising from his inexperience as a politician. He spoke about tax policy, gun rights, and abortion with knowledge and conviction, but he needed a few weeks to develop clear-cut positions on other issues. Even then, Coors occasionally stumbled. In a June forum, Schaffer asked him whether he agreed with Paul Martin on trade between the United States and Canada. "I'm not sure I know who Paul Martin is," replied Coors. Schaffer pounced: "A U.S. senator needs to know who the prime minister of Canada is." It was an embarrassing "gotcha" moment for Coors, who was accustomed to public speaking but not the rough-and-tumble of political debates.

Additional challenges emerged. Coors was one of the first companies in the country to offer benefits to employees' same-sex partners—a fact that generated flak from social conservatives during the primary. He also became snared, perhaps inevitably, in a debate over alcohol. In the past, Coors has said that if an 18-year-old can put on a uniform and die for his country, then he ought to enjoy the legal right to crack open a cold one. He hasn't changed this view, but he does find it necessary to assure various inquisitors that he has no "hidden agenda" to lower the drinking age. And he spent a portion of the primary fending off accusations from the likes of Schaffer and James Dobson of Focus on the Family (headquartered in Colorado Springs) that no self-respecting conservative would allow his company to bankroll a TV ad campaign as raunchy as the one used to market Coors Light.

Yet Schaffer and his supporters, for all of their attacking, performed a helpful service: They made Coors a better candidate, less prone to mistakes that will hurt more if they're committed in October. When Coors spoke to a gun club in September, he knew how to turn his personal story into a political pitch. "My dad taught me how to shoot pigeons off the grain elevator at the

ROMAN GENN

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brewery when I was six years old," he said. It was just what the gun owners wanted to hear.

One thing about Coors's presentation hasn't changed since he started: His two favorite subjects on the stump are taxes and lawyers, and he doesn't especially care for either. Attorney General Salazar is a lawyer, of course—though his top campaign message seems to be that he's really a farmer. He discusses this background about as often as John Kerry mentions his service in Vietnam. "If you look at my hands, you will see the calluses and cuts of a proud farmer," he says.

It's not an act: Salazar grew up in a house without electricity, in the rural town of Manassa. His family still farms there. Salazar is only 49 years old, but he looks at least a decade older—and very much like retired senator Phil Gramm, albeit in a cowboy hat and bolo tie. He speaks with the slight inflections of old-time Spanish Americans whose ancestors have lived in what is now the United States for centuries. And just about everybody believes he is on the verge of becoming a major force not just in Colorado politics, but perhaps nationally as well. If he wins this year, he may find his way onto veep lists for Democrats in 2008. "We have to beat him now so we don't have to deal with him in the future," says Owens.

That won't be easy. Salazar has won a pair of statewide races, including a reelection two years ago when he carried an impressive 58 percent of the vote in what was otherwise a good year for Republicans. A Coors victory will almost certainly require some of these Salazar backers to switch their allegiance.

The defectors probably won't be Democrats, as Salazar knows how to excite partisan crowds. Many of them start out disliking the Coors family because they know its political sentiments; they also resent company efforts to resist unionization. But they especially enjoy Salazar's class-warfare riff of a humble farmer taking on a Republican child of privilege. "Pete, you and I come from different worlds," he said at a debate in Grand Junction on September 11. A few minutes later, he gestured at Coors and announced: "Don't give tax cuts to the wealthy." His comments are much sharper when he speaks to groups of Democrats. At a small gathering in Rifle, he concluded his remarks by condemning "the forces of evil that Karl Rove and others are behind." That afternoon, at the headquarters of the Mesa County Democrats, Salazar spoke in the same mode as he attacked those who "try to do great harm and great evil to this state and this nation."

Salazar led in the polls through the summer, but more recent surveys have shown the race tightening to just a few points. Republicans have every reason to believe their man will eventually come out on top, from the fact that they outnumber Democrats in Colorado to the sophisticated get-out-the-vote effort they dispatched two years ago to help Sen. Wayne Allard win a close race. No matter what else happens on Election Day, a Coors victory will give conservatives something to toast on the night of November 2. **NR**

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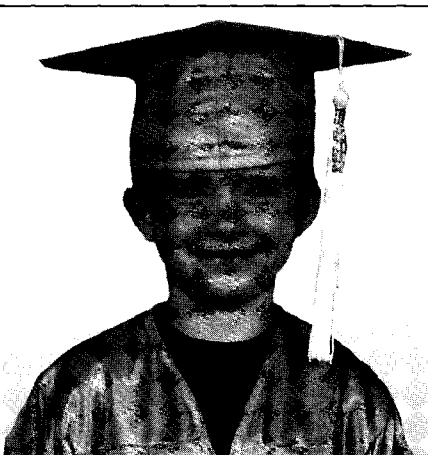

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■ AT WAR

Meanwhile, in Afghanistan . . .

How it's going, three years after invasion/liberation

RADEK SIKORSKI

NOTHING like hot dust in one's face and the roar of a low-flying helicopter gunship to make a man feel alive. The last time I heard that sound in Afghanistan was in 1987: A patrol of Soviet Mi-24s were spitting gunfire at the house in which I was hiding with a mujahedeen convoy, in a village near Kandahar. This time, though, the sound of gunships—these decorated with the American white star instead of a Soviet red on the side—did not make me duck. On the contrary: The sound of helicopters in Kabul is now hopeful evidence of the foreign presence giving Afghanistan its best chance in 25 years.

True, the signs of the war with the Soviets and the civil war that followed are still everywhere: debris of old jets at the airport, carcasses of government buildings, posters instructing pedestrians how to recognize various types of mines. This is still a city under pressure, and security is tight.

Even so, it's an improvement since my last visit, shortly after the fall of the Communist regime in 1992. Kabul was then still at war. Troops loyal to the defense minister, Ahmed Shah Masud, were fighting it out against those of the prime minister, Gulbuddin Hekmatyar. They converged around the municipal zoo, where monkeys saluted, Soviet-style, if you pointed a Kalashnikov at them. The Intercontinental Hotel, a Kabul landmark, was a dark shell on a hill, riddled by RPG rounds.

This time, I collected my e-mail in the business center of the now-rebuilt Intercontinental. It's a functioning establishment with giggly American girls in the bar, a cellphone shop, and a soon-to-be-completed swimming pool. From there I set off to pay my respects to the former king, Zahir Shah, whose presence back in his royal castle is seen by many Afghans as a symbol of a return to some kind of normality. In the slum that is Kabul today—the city was first destroyed, then overpopulated with refugees—the palace is a time capsule, with spacious courtyards and old plane trees evoking a grander past. The picture of a modest retiree, Zahir Shah did not fight to be restored to the throne and seems satisfied to play the role of godfather—"Father of the Nation"—to the new regime, which is, in a way, a pity. For such a particularly diverse culture as Afghanistan's, a constitutional monarchy could have provided a focus of national unity instead of stirring the factional passions that are rising in anticipation of the presidential election, slated for October 9. Still, at 90 Zahir Shah is one of the few Afghan leaders in many a decade with a fighting chance to die of natural causes, which is saying something.

His presence is not the only evidence of a city returning to life. If you can call it progress, the BBC World Service is broadcast on local FM radio, there's a "John Kerry for President" cell in Kabul, and you can buy *Fahrenheit 9/11* on DVD before its release in the U.S. (My copy cost $3 and promptly malfunctioned.)

The returning refugees may stretch the infrastructure but they are the surest sign that people have regained hope at last. There are executions of foreign aid workers, armed clashes on the unruly border with Pakistan, and even car and suicide bombs of apparently increasing sophistication. But we will misjudge the dynamic if we fail to keep things in perspective. Tens of thousands of people died in this country every month in the 1980s during the war with the Soviet Union and it wasn't news. Hundreds died every month in the 1990s from mines and the civil war and that wasn't really news either. Today, casualties are in the dozens most months, and suddenly it is news, taken by some as evidence of imminent collapse. For the first time in a quarter century, more Afghans are now dying in car accidents than in politically motivated violence—a miracle, even allowing for atrocious Afghan driving.

There is also anti-Americanism, to be sure. Interestingly, it seems to rise the higher one goes up the social ladder. "Americans are worse than Russians," a middle-ranking Foreign Ministry official told me indignantly. "They charge around in their vehicles, making everyone move aside. When the Russians searched houses they used female officers to go into women's quarters, but Americans barge in regardless, which we find very offensive." He seemed particularly angry that European-style restaurants in Kabul barred Afghans. This, if true, would be something like the *Nur für Deutsche* rule in Nazi-occupied Poland. I checked, though, and the restaurants mostly just apply Afghan law, which bars the sale of alcohol to natives.

Mr. Sikorski is the author of a book about the Russo-Afghan war, *Dust of the Saints: A Journey to Herat in Time of War.* He is the director of the New Atlantic Initiative at the American Enterprise Institute.

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On the other hand, most ordinary Afghans I met recognized that their liberation from the Taliban would not have happened without U.S. assistance. They also appreciated that NATO troops provide a check against interference by neighboring states, which had fanned the embers of war.

WHICH MODEL?

The most urgent question therefore seems to be not whether Afghanistan is on the mend, which it is, but which model of reconstruction does the most to encourage the forces of integration. There are at least two: Let us call them the Kabul model and the Herat model. In the capital, we have the classic internationalist project, as practiced all over Africa and more recently in the Balkans. Foreign-donor institutions are so central and so numerous—3,400 at the last count—that guidebooks routinely include city plans with the locations of the major U.N. agencies and NGOs. It is through this network that major international spending programs are effected. Features of this model include diplomatic or semi-diplomatic status for personnel, SUVs with distinct license plates, heavily protected offices, expensive outside experts, and accountability (if that's the word) to international bodies with incomprehensible acronyms. Critics have called this system's administrators the "Lords of Poverty." In fairness, it provides many indispensables: Returning refugees receive food, farmers get seed, and the civil authorities bask in the legitimacy conferred by the outside world. In places as broken as Afghanistan, international agencies' monitoring of human rights and press freedom can be a useful check on local abuses.

The drawback is that it is costly to get anything done. Foreign contractors demand total security for their personnel, which is incredibly expensive. The Kabul-Kandahar road, for example, which was a crucial test of the Karzai administration's ability to project stability outside Kabul, was budgeted to cost about $35 million but ended up costing $300 million. More subtly, the foreign institutions, by virtue of having pay scales devised in richer countries, tend to pay wages well above the local average. Talent flows to where it commands a higher price, thus denuding native institutions of capable people. Over time, a dependency culture sets in.

Until recently, they have done things differently in Herat, Afghanistan's third-largest city. As the capital of the Timurid empire, Herat used to be the Florence of Central Asia, and local pride is still strong. It was here that the original rebellion against Communist rule took place in March 1979, and Herat was also the first city to be liberated in 1992. The leader of both events was Ismael Khan, a charismatic former officer of the Afghan army. I met him in 1987, the year of the most intense fighting between the Red Army and the Afghan resistance, at a commanders' conference in the caves near Sargah in the central region of Ghor, which Ismael Khan organized with one eye to future politics. He was subsequently captured by the Taliban and escaped the Kandahar jail, soon to rally with the Americans and to return to Herat in triumph.

The Western press now routinely refers to former leaders of the resistance such as Ismael Khan as "warlords," so I was a little apprehensive as to what I would find on my return to Herat. It was with growing astonishment that I noticed signs of prosperity. The "little Hiroshima" in the suburbs—where years of Communist pounding had turned swaths of the city into dust—is now a busy commercial area with street lights, a new bypass, and hundreds of workshops. The stretch of desert on the northern hills has been completely built over with a vast customs terminal, a war memo-

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rial, and a string of municipal parks. The remains of the mausoleum of Queen Gowar Shad—once a gem of Islamic architecture—have been enclosed with a new wall to prevent further damage. The university is functioning again. Not only are girls attending school, I have never seen so much commitment to undo the damage inflicted by the Taliban: Female teachers work in shifts in tents pitched around main school buildings. Uniquely in Afghanistan, Herat has a drug-rehabilitation clinic, a mental institution, and a steady electricity supply.

I spent several days with Ismael Khan. The man took an obvious pride in doing things the Afghan way, using Afghan companies, Afghan personnel, and Afghan resources. I accompanied him to the provincial town of Shindand, where the remains of a huge Soviet airbase are sinking into the desert. He has remodeled the oasis, with its warren of medieval mudhouses, on a grid pattern that will facilitate transportation and trade. The main street has been covered with asphalt, and Ismael Khan pushed the button on the municipal water supply. A Soviet transmitter atop an old fort has given Shindand live TV for the first time. "If I had asked an NGO, they would have taken six months and spent millions. We did it ourselves in two months," he told me proudly.

Ismael Khan

Interestingly, the effort to improve amenities seems to be going hand in hand with a reformation of some of the more repressive values. I listened to Ismael Khan speaking in the only clump of trees for miles around, to a mixed crowd of men and women in burqas and shawls. "How can you drive your women to suicide by keeping them locked up at home! How can you deny education to your daughters, so that they cannot help your own grandchildren! What kind of men are you to arrange your marriages and pay for your wives!" I suspect the locals are more likely to accept such radical change from a moderate Islamic leader than from a professional U.N. do-gooder. Forced secularization had already been tried by the Communists and it was as much a disaster as the Taliban's fundamentalism. Change, to be accepted, should spring from the philosophical and cultural roots of Afghan society, and should happen at a pace that its conservative people can bear. Islamic modernizers in the mold of Ismael Khan seem to act as the functional equivalents of Christian Democrats and can provide a vital bulwark against fanatics.

WARLORDS AND DOG-WASHERS

The Kabul elite finds it difficult to acknowledge the homegrown success of someone like Ismael Khan because, on top of all the other divisions within Afghan society, perhaps the most important one today is between the veterans of the wars against the Soviets and the Taliban, and the returning Afghan professionals who would like change to proceed much faster. The "warlords" return the compliment by calling the latter "dog-washers"—alluding to the fact that the same men and women who held lowly positions in the West have become ministers in Kabul. To a sympathetic observer, it seems Afghanistan needs both groups: the veterans for their patriotic and religious credentials, the former exiles for their expertise in running a modern bureaucracy and economy.

LANGEVIN JACQUES

The biggest threats to the settlement that President Hamid Karzai has skillfully nurtured seem external. One is that the United States may get distracted, as it did in the 1990s, from finishing the job in Afghanistan by a crisis elsewhere. Another is a radical takeover in Pakistan. Afghanistan will not be truly consolidated, and Pakistan will not be secure either, until the latter establishes proper control over its own tribal territories. When Lord Curzon established the North-West Frontier Province at the height of the Raj, it was an expedient arrangement for managing ungovernable Pashtun tribes. But now that it has become a haven for terrorists and drug lords, the Punjabi core of the Pakistani army should be encouraged to sort it out.

The third and most likely threat to Afghanistan's future is the drugs whose production has spread from the Afghan-Pakistani border and the traditional heartland around Kandahar to most provinces. According to some reports, drugs constitute up to half of the Afghan economy and they finance much of the private construction, particularly in the capital. The interweaving of Taliban and Qaeda politics with drug-related crime networks could create a deadly base for a continuing insurgency for years to come. As we've learned elsewhere, the only way to fight the drug trade is to eat into its profit margins—by legalizing the stuff in the West, or in the producing country, and taxing it appropriately—which is, of course, politically unacceptable. If swaths of Afghanistan become Colombia-style provinces of a post-Taliban narco-insurgency, we in the consumer countries will not be without blame.

For the moment, however, we still seem to be winning. We can do even better if we motivate our soldiers, diplomats, and aid workers to take a more robust posture in their reconstruction activities. Withdrawing personnel after every atrocity risks creating a vicious circle: The more precarious the situation in a province is, the fewer foreign diplomats or NGO workers venture there. Consequently, the locals become more hostile toward the foreign presence, as less reconstruction assistance is delivered. Afghanistan is a tough place, and foreign personnel should accept risk as part of their job description.

Afghanistan also suggests a practical way to revitalize NATO. There are 7,000 NATO troops in the country, doing much to relieve U.S. forces hunting al-Qaeda. There could be more, were it not for a technical reason that stems from NATO's Cold War origins. Whereas NATO headquarters is supported by a central fund into which members pay according to a negotiated formula, military operations are financed by the members themselves. This was fine in the past, when a Soviet invasion was assumed to be such an existential threat to all of Western Europe that countries could be counted on to act irrespective of cost. In today's out-of-area operations such as Afghanistan, however, it creates perverse incentives: The more a country wants to help, the more out of pocket it is. Meanwhile, free riders, well, ride free. The sooner we move to financing operations from the central fund as well, the more quickly we can send additional troops to Afghanistan and the more effective we can be in future emergencies. **NR**

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A Fortune in Tuition

Why does college cost so darn much?

RICHARD VEDDER

TUITION fees at the typical American state university rose "only" 9 percent this year, *USA Today* tells us, down from 14 percent last year. For every single year for over 20 years, average tuition hikes have exceeded the inflation rate. When I entered Northwestern University in the late 1950s, it took a median-income family less than two months' income to pay the annual tuition; today it takes over six months' income to pay it, at a typical selective private school.

Why is tuition soaring? According to conventional campus wisdom, it's because of declining external funding: lagging state subsidies to public universities, inadequate contributions and investment income at private ones. Schools also sometimes argue that higher tuition is funding qualitative improvements.

My own research—published in a new book, *Going Broke by Degree: Why College Costs Too Much* (AEI Press, 2004)—suggests that the conventional wisdom is wrong. Tuition has been growing for decades—during periods of rapidly rising as well as falling state and private funding. As to qualitative improvements, it is true facilities are nicer these days and some new academic offerings have been introduced, but at the same time the average score on the Graduate Record Exam is lower today than in 1965; it is highly questionable whether college kids are learning any more than they were decades ago.

The real reason for soaring college costs is higher demand for colleges, largely resulting from well-intended but dubious governmental policies. When demand rises relative to supply, prices (in this case, tuition fees) go up. Demand is rising partly for non-governmental reasons, such as higher incomes and a growing earnings differential between high-school and college graduates. But it is also rising rapidly because of the huge growth in government loan and grant programs as well as tuition tax credits. Pell grants, Stafford and Perkins loans, tax-sheltered college-saving schemes ("529 plans"), work-study programs, etc.: All

ROMAN GENN

Mr. Vedder teaches economics at Ohio University and is an adjunct scholar at the American Enterprise Institute.

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serve to increase the number of students wanting a college education at any given price. Kids without money for college simply borrow it.

Rising tuition and enrollments have meant surging college revenues. Real per-student spending rose about 70 percent over the past 20 years. How have the universities used this extra money? Financial data provided to the federal government suggest that remarkably little of the higher spending has gone toward instruction: perhaps 21 cents for each new dollar per student since 1976. Teaching and learning are becoming almost secondary activities at some universities. Research has grown, but so has spending on myriad other things. Administrative staffs, for example, have soared. In 1976, it took the typical university about three "non-faculty professionals" to service each 100 students; today, it takes nearly six. My fairly typical university spends over $10 million a year subsidizing intercollegiate athletics.

Awash with funds, university personnel have taken good care of themselves too. Over the 1980s and 1990s, real average faculty compensation (including fringe benefits) probably rose about 45 percent, and near-mid-six-digit salaries are commonplace for top administrators and superstar faculty. A large proportion of tuition increases has gone not for qualitative learning improvements, but to making life better for the permanent paid members of the academy—lower teaching loads, more travel, higher salaries, etc. University presidents beg legislatures and big donors for more funds "to improve student access and academic quality," but use most of the money for fancy facilities, athletics subsidies, administrative-staff increases, and other things peripheral to the main mission of the institutions.

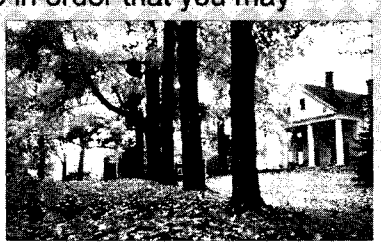
How can universities get away with it? Unlike the private for-profit sector, which faces strict financial discipline imposed by competition and markets, the not-for-profit modern American university is largely (although not completely) shielded from these forces. How is IBM doing? You can get real-time changing assessments of its fortunes by following its stock price, and at least quarterly estimates of its profits in press releases and stockholder reports. But how did Stanford do last year? Who knows? There is no bottom line in higher education. The closest thing to a bottom line for most high-quality schools is privately issued rankings of universities. The most influential, that of *U.S. News & World Report*, evaluates partly on the basis of the amount spent on inputs (e.g., faculty resources): The more the school spends, the higher the ranking.

Not only is there little financial discipline, but political or institutional accountability is lacking as well. Unlike most governmental agencies, state universities typically are largely operationally independent of their funding source, with relatively little legislative or executive oversight to ensure

From our Catalogue

crede ut intellegas

The affinity between the life of the mind and the life of faith is embedded in Augustine's dictum, "crede ut intellegas", "believe in order that you may understand." For Augustine, truth consists in the intelligence's conforming itself to the divine sense of existence. Intelligence consists not, then, in the more or less brilliant performance of the mind, but in knowing reality as it is. To that end, faith and reason conjoined form a strong defense against the temptations of sophistry, triviality, ideology, fragmentation, skepticism, fideism, and anti-intellectualism. Faith, as the acknowledgment of the divine order of things, and reason, as the seeing of reality as it truly is, are partners in the Catholic intellectual tradition.



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accountability. Boards of trustees nominally run most not-for-profit institutions of higher education (both public and private), but they are usually dominated by part-time volunteers with little time for independent exploration of campus issues, and are usually co-opted by the administration they supposedly oversee.

The sharp rise in the cost of student education suggests that productivity in American higher education is falling, certainly relative to the private sector, but probably in an absolute sense as well. While productivity is hard to measure (how do you evaluate research?), under any reasonable assumption universities are becoming relatively more costly and inefficient.

As the cost of conventional higher education rises, people seek out other options. For-profit institutions such as the Apollo Group's University of Phoenix use about one-third the resources of the typical not-for-profit to educate a student, and are both rapidly growing and extremely profitable (with pre-tax profit margins approaching 30 percent in some cases). Owing to their relative efficiency, their tuition costs are not much greater than those of some highly governmentally subsidized state universities.

There are other options. Computer whizzes are sometimes foregoing degrees in computer science to become certified in major computer tasks by Oracle, Microsoft, or Novell. Some kids are heading overseas for college, or to the relatively lower-cost community colleges instead of the more expensive state universities. In time, universities may grudgingly get serious about cost-cutting, raising teaching loads, ending tenure, slashing administrative bureaucracies, and leaving peripheral businesses (such as food and lodging operations or sports teams). But it has not happened yet—because the incentives to do so are still largely missing.

A compelling case can be made that government should get out of the higher-education business. Two arguments are used to defend public subsidies: Universities have positive externalities (spillover effects that benefit non-attendees as well as those getting degrees), and public funding expands access for lower-income students. As to the positive-externality argument, I have actually observed a *negative* correlation between state-government spending on universities and economic growth, controlling for other factors. Universities literally lower the incomes of non-participating citizens. And in the case of the second argument, there is only the very weakest of positive correlations between government spending on universities and the proportion of students either attending or graduating from college. (Another scandal: Over 30 percent of entering four-year-university students do not graduate within *six* years.) The recent reduction, in some states, in government support for universities is thus sensible public policy.

One worthwhile approach is Colorado's: Allocate more money directly to students, rather than to institutions. Give scholarships (vouchers) to students who are poor, to increase their access to education—but limit the funding to those with decent academic performance (in other words, stop subsidizing party-loving mediocre students). As for the rest, let them pay their own way: They are the ones who benefit, so they should pay the bill. **NR**

Choice Struggles On

The progress of a great and necessary idea

CLINT BOLICK

THE year 2004 will be remembered as a pivotal year for the school-choice movement for multiple reasons, not least of which is that this was the year the president of the United States endorsed school choice.

Not George W. Bush—he's been a backer for years. Rather, it was Jed Bartlet, the liberal president on TV's *The West Wing*, whose grudging endorsement of school choice in Washington, D.C., was symbolically significant. If even Hollywood recognizes the importance of this educational reform, can the rest of the nation be far behind?

The *West Wing* episode was a case of art imitating life. In September, more than 1,000 D.C. children were able to attend private schools using publicly funded vouchers. The program resulted from an impressive coalition, one that joined the Bush administration and congressional Republicans with D.C. mayor Anthony Williams, City Council member Kevin Chavous, and school-board president Peggy Cooper Cafritz. In the coming year, school-choice legislation will be in play in more states than ever before. Depending on state election results this fall, serious efforts could be mounted in a dozen or more states.

Predictably, teachers' unions have shifted into high gear to defeat the one reform that threatens their monopoly vise-grip on public education. Earlier this year, the National Education Association announced new partnerships with ACORN and MoveOn.org—two of the nation's most sophisticated grass-roots organizing groups—in a campaign to "protect" public schools.

At its most recent national convention, the NEA introduced a $1-per-member increase in dues for each of the next five years, which will generate $40 million for political activity. (By contrast, the Alliance for School Choice, the leading national pro–school-choice organization, has an annual budget of $6 million, which must be raised from voluntary contributions.) In Washington state, unions are trying a new tactic: bankrolling a referendum to repeal the state's newly enacted charter-school law. If it passes, expect similar ballot efforts to become a staple of the anti–school-choice arsenal.

Despite the validation of school choice two years ago by the

Mr. Bolick is president and general counsel of the Alliance for School Choice, and author of *Voucher Wars: Waging the Legal Battle Over School Choice*.

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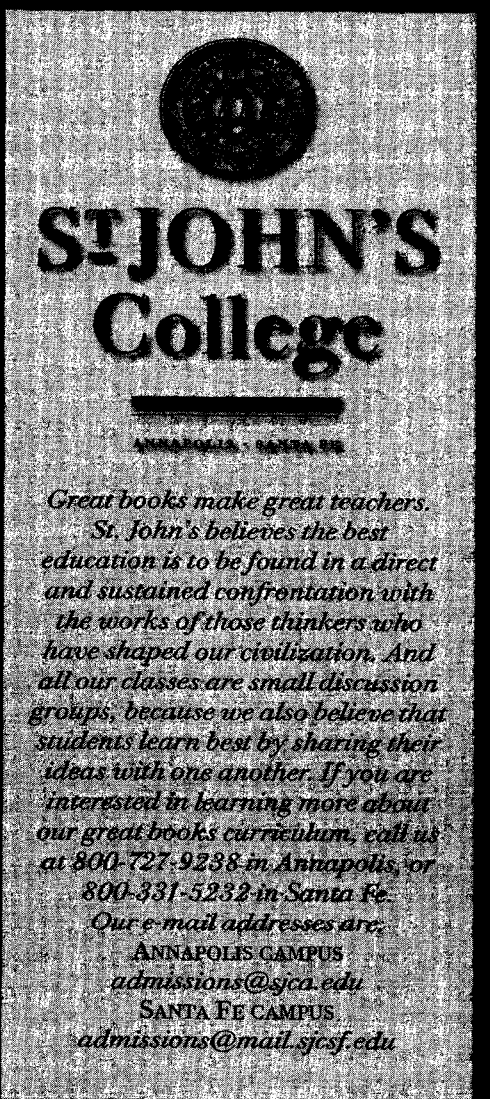

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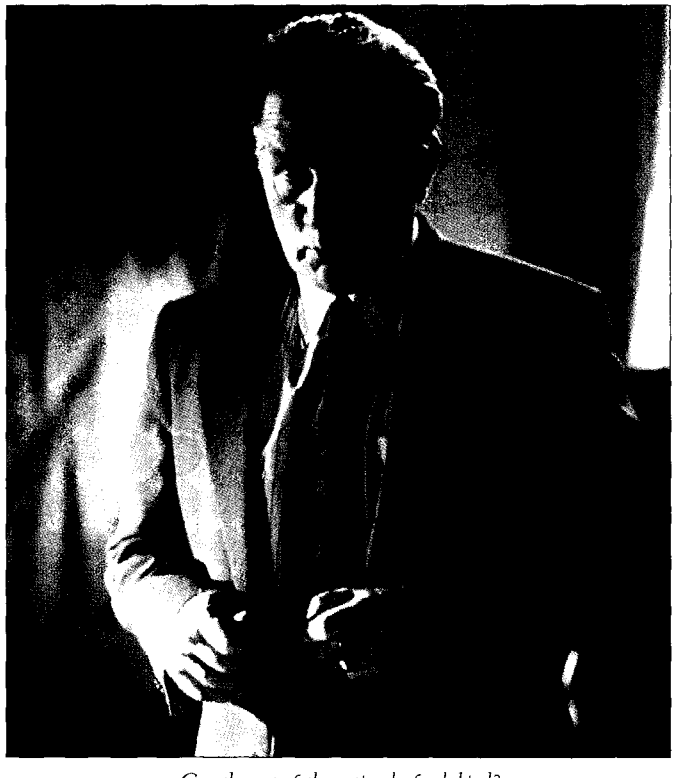
U.S. Supreme Court in *Zelman* v. *Simmons-Harris*, union-backed legal challenges continue to vex school-choice programs. This year, the Colorado supreme court struck down that state's voucher program for poorer children under the state constitution's local-control provision. Meanwhile, a Florida appeals court invalidated a similar program under the state's Blaine Amendment, which forbids direct or indirect aid to religious schools. (So far, the U.S. Supreme Court has ducked the issue of whether state-court decisions that discriminate against religious options violate the First Amendment's guarantee of religious liberty.)

But school-choice forces are growing more sophisticated. Several organizations merged in May to lead the national school-choice effort, forming the Alliance for School Choice and its sister lobbying group, Advocates for School Choice. Together with the Black Alliance for Educational Options, the Hispanic Council for Reform and Educational Options, and the Milton and Rose D. Friedman Foundation, the national groups are pumping resources and lobbying acumen into states to create school-choice programs and protect them against attacks from unions and groups such as People for the American Way.

The movement has also developed a political arm. Two national groups, All Children Matter and LEAD, are carefully targeting state elections to improve legislative prospects for school choice. The groups scored impressive wins in primaries this year in South Carolina, Missouri, Florida, and elsewhere. But their biggest win was in Utah, where Gov. Olene Walker, who had vetoed a school-choice program for disabled children, was defeated for the Republican nomination by Jon Huntsman almost entirely on the issue of school choice. The teachers' unions can't point to a single candidate for office who was defeated because of *support* for choice.



WARNER BROS. INTERNATIONAL

Can the rest of the nation be far behind?

Still, politicians and political parties lag behind on the school-choice issue. Only a handful of Republicans, such as Tommy Thompson and Jeb Bush, recognize that school choice is a powerful way to attract minority voters. Most Democrats, beholden to unions, cannot match what Republicans have to offer on the issue of most tangible concern to inner-city families: the chance for a decent education for their children.

Likewise, only a few Democrats, such as Sens. Joe Lieberman and Dianne Feinstein and former Milwaukee mayor John Norquist, recognize that their party is in danger of losing education—one of its most important issues—if Republicans ever get a clue about the political potential of school choice.

Sadly, the best thing going for the school-choice movement is the abysmal and declining quality of public education, particularly for minority children. Fifty years after *Brown* v. *Board of Education*, the racial academic gap suggests we are nowhere close to achieving true equality of educational opportunity. Nearly 50 percent of black and Hispanic students drop out of high school, and 27 percent of all 20- to 29-year-old black men who dropped out are in jail. Despite high attrition rates, the average black high-school senior achieves at a level four academic years behind the average white senior—a gap that has *increased* by one-third over the past decade.

School-voucher programs have shown the potential to close the racial academic gap by between one-fourth and one-third over four years. Perhaps more significant, competitive pressure from school-choice programs forces public schools to buck union pressure and adopt long-overdue reforms. Harvard economist Caroline Hoxby has found that public schools consistently improve when faced with competition from viable school-choice programs.

The best case in point is Florida, where public schools that earn an "F" grade from the state for two years face two consequences: state intervention and an opportunity-scholarship program that allows students to transfer to better-performing public schools or receive scholarships to private schools. In the program's first year, only two public schools qualified for the program (factoring in grades from previous years), but approximately 75 other schools had one "F," meaning that another failing grade would trigger vouchers.

Over that year, *every* failing school in the state lifted itself from the "F" list, taking steps they should have been taking for years: spending more resources in the classroom, moving to year-round schooling, and hiring tutors for failing students. Records obtained by the Institute of Justice through the Freedom of Information Act revealed that school-board officials referred to the threat of vouchers as a motivation for adopting remedial measures. Researcher Jay Greene found improved test scores state-wide for the poorest-performing students.

Right now, children in publicly funded school-choice programs account for fewer than 0.2 percent of American schoolchildren. Yet the potential is boundless. School choice is the nation's most urgent civil-rights issue. We cannot tolerate, or afford, the current racial gap in education if we are to continue to be a great nation. **NR**

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Sparing Rods, Spoiling Children

The impossibility of school discipline

RICHARD ARUM

LAST November in Las Vegas, ten students on the Cheyenne High School football team were involved in a melee with the opposing squad immediately following a game. The incident was broadcast repeatedly on local television and led Jerry Hughes, the executive director of the Nevada Interscholastic Activities Association, to suspend the team from participating in the upcoming regional playoffs. "It was a brawl, an outright brawl," Hughes noted. "We hate doing these things, but we felt it was a very serious situation that occurred."

Within 48 hours, however, parents of the suspended players had contacted lawyers and brought suit in Clark County District Court to overturn the Interscholastic Association's decision. Before the end of the week, county judge Jackie Glass issued a restraining order requiring the association to permit the Cheyenne football team to participate in the playoffs as their due-process rights had apparently been violated and the suspended players would suffer irreparable harm if denied the ability to play. "Right now . . . we don't have any ability whatsoever to enforce the rules," responded Hughes. It is a sentiment echoed by many teachers and administrators across the country. How did we get to a point where courts increasingly intervene to prevent schools and related organizations from exercising traditional disciplinary authority? What have the consequences of these changes been for students, schools, and communities?

Between 1968 and 1975, students gained the right to due-process protections for the most minor aspects of day-to-day school discipline. The most significant Supreme Court case during this era was *Goss* v. *Lopez*, which held that students facing short suspensions must be provided with "rudimentary" due process—an ill-defined concept that included such features as a right of students to know the charges against them. Other features of due process—such as the right to a formal hearing, the right to legal counsel, and the right to call wit-

Mr. Arum is author of *Judging School Discipline*, and is a professor of sociology and director of educational research at New York University.

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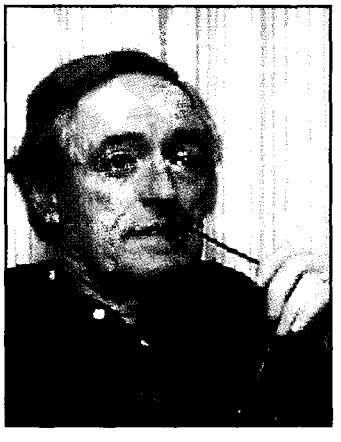

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nesses—were mandated for more serious disciplinary infractions. After *Goss* v. *Lopez*, however, even low-level punishments (e.g., in-school detention or lowering a grade) were subjected to student and parental challenges in court.

Within a year of the case, the Supreme Court also decided *Wood* v. *Strickland*, which found that if public-school teachers or principals knowingly violated a student's due-process rights, they could be held personally liable for financial damages. Predictably, there has been a chilling effect on school personnel's willingness to monitor student behavior. The intoxicating combination of extending rudimentary due process with *Goss* v. *Lopez* and personal liability in *Wood* v. *Strickland* also gave birth to a cottage industry of professional services. Today, public-school teachers and administrators can typically expect to receive periodic mailings from insurance companies offering supplementary personal-liability protection over and above what their union or professional associations offer. In addition, it is increasingly common for local school districts to maintain legal counsel: In 1974, prior to *Goss* v. *Lopez*, the National School Boards Association's Council of School Attorneys had 250 members; today it has over 3,000.

The emergence of student rights and a field of law limiting professional discretion in the exercise of school discipline has had dramatic effects on our capacity to prepare youths for productive roles as adult citizens. Court challenges have undermined assumptions that school discipline occurs in the best interest of students. Recent public-opinion polls of teachers and administrators have revealed widespread concern about the threat of legal challenges. In a Public Agenda poll taken this year, 78 percent of teachers noted that students were quick to remind them that they or their parents could sue. According to a Harris poll, no fewer than 85 percent of teachers and principals believe that reducing the availability of legal challenges to day-to-day management and disciplinary decisions would help improve the quality of education in their schools.

The growing concern about deteriorating student climates in public schools is not just an academic problem, however, as student and teacher safety is also a pressing public-policy issue. By the end of the 1990s, an average of 30 students per year were killed on public-school grounds, and, consequently, many parents—from at least a quarter to a half in opinion polls, depending on how recently the media had reported on school shootings—have come to fear for their children's safety at school. This fear is not irrational: Shooting rampages emerged as a recurring phenomenon in the last decade; and 14 percent of urban public-school teachers were threatened with injury by students while 6 percent were subjected to physical attack annually. In addition, 34 percent of urban high-school seniors reported that street gangs were present in their schools, and 10 percent of high-school boys admitted carrying weapons on school property during the previous month.

While problems of student behavior and disorder are widespread, inappropriate disciplinary climates have had particularly devastating consequences for black students, who are often concentrated in high-poverty schools where discipline is especially dysfunctional. Black students are disproportionately represented in schools where discipline is not working, but when students report that discipline is both strict and fair, black and white students demonstrate equal progress on cognitive tests. Legal challenges to school discipline—which were intended by liberal legal reformers to ensure equal educational opportunity—have had a terrible impact on black students in particular.

In recent years, student and parental challenges to school discipline have risen sharply, with the number of appellate cases more than doubling from 1990 to 2000. This growth has occurred simultaneously with the continued erosion of teacher and administrator professional discretion on these issues. Appropriate and responsive school discipline has been limited in recent years by regulations mandating zero tolerance and enhanced protections for students with behavioral disabilities.

With the number of incarcerated young adults tripling since *Goss* v. *Lopez*, much needs to be done to restore the moral and legal authority of school officials charged with the responsibilities of youth socialization.

With the number of incarcerated young adults tripling since *Goss* v. *Lopez*, much needs to be done to restore the moral and legal authority of school officials charged with the responsibilities of youth socialization. While conservatives might be tempted to endorse authoritarian measures to restore order in our schools, one must recognize that some of the protections to students in the student-rights contestation period were indeed warranted. Students may well be entitled to full due-process protections when facing school discipline for, say, some objectionable expression. Students should also have full due-process protections when they face expulsion or long-term exclusion from public education. But in minor day-to-day discipline—such as restrictions on participation in football games—due-process protections deny educators the ability to teach students the importance of adhering to societal norms, values, and behaviors. Here, students could use fewer rights. **NR**

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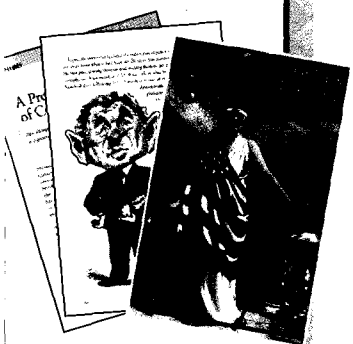
No-Limit Child Care Funding

HOOVER DIGEST
RESEARCH AND OPINION ON PUBLIC POLICY



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A strange thing happened in the Senate earlier this year. Thirty-one Republican senators joined forty-six Democrats in voting to increase federal child care funding by an additional $6 billion over the next five years, or by 25 percent. The vote was seen as a direct rebuff to the White House and the Republican-controlled Congress, who had called for a more modest $1 billion increase.

In some respects the vote was moot, being dependent on the reauthorization of welfare reform—which languished and then died at the hands of a Senate parliamentary procedure.

But **the debate over child care funding signals a shift in conviction. For the first time a powerful group of Republicans believe that a major component of welfare reform is lacking.**

Is welfare-related child care really underfunded? Let's take a quick look.

When Congress debated welfare reform in 1996, annual child care funding totaled $3.2 billion. In the six years after its enactment, total child care funding increased 250 percent, to some $11 billion.

Surprisingly, the additional resources were not primarily the result of new government spending. Welfare reform allowed states to use the money they saved by moving welfare recipients off the rolls and into jobs to help pay for child care expenses. As a result of these transfers, more than twice as many children received subsidized child care in 2002 than did in 1996.

Another way to examine the adequacy of child care funding is to look at the results of welfare reform. If women with children were not securing work, were failing to keep jobs, or were reenrolling in welfare, that would be a clear signal that the system was failing in its mission.

No such evidence exists. Welfare roles have been cut in half—to levels not seen since 1970. Employment rates of single mothers with children under age six (those with the greatest need for child care) are 13 percentage points higher than in the booming 1990s. And nearly three million fewer children are in poverty today because their mothers' earnings continue to rise.

What's really behind the call for more federal child care funding is a political mind-set that views our nation's wealth as an endless resource for solving societal ills. From this perspective, any need can be met if enough money is allocated to it. No matter how many times this formula fails to work and even exacerbates the problem, it never really dies.

The end to no-limit child care funding will come when our elected officials realize that welfare reform is not just about lifting families out of poverty. It's about a return to personal responsibility and civic compassion that will safeguard millions of women and children against future dependency.

—Jeffrey M. Jones

Jeff Jones is a research fellow at the Hoover Institution. This essay is adapted from an essay in the forthcoming/fall issue of the Hoover Digest, *which will appear in mid-October. To receive a free issue of the* Digest, *call 800.935.2882.*

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The Limits Of Money

Schools K-12 have plenty of dough, but what have they to show?

FREDERICK M. HESS

JOHN KERRY has repeatedly denounced the Bush administration for promoting an ambitious education agenda but refusing to foot the bill. Kerry charged in his campaign book, *A Call to Service*, that the administration has "undermin[ed] education funding as part of a larger strategy of directing every available school dollar toward tax cuts for the wealthiest Americans." Kerry has particularly attacked Bush for not spending enough money to support the federal No Child Left Behind (NCLB) act. In a July speech to the American Federation of Teachers, Kerry accused the administration of "[breaking] their promise by shortchanging the law by $27 billion. Millions of children have been left behind—left with overcrowded classrooms, left without textbooks, and left without the high-quality tests that measure what they are learning."

Kerry's signature education proposal is a new National Education Trust, a pool of funds supporting federal education mandates. Kerry promises to draw on those dollars to "fully fund" NCLB, give a $5,000 pay increase to teachers in troubled districts or hard-to-staff subjects, pay for a costly reauthorization of the Individuals with Disabilities Education Act, and fund a $24.8 billion school-facilities-modernization bond drive. All told, analysts have calculated that Kerry's increases would amount to $200 billion over ten years.

The administration has not responded by insisting that money be spent more responsibly. Instead, it has bragged about its own largesse, pointed to a GAO study explaining that No Child Left Behind isn't technically an "unfunded mandate" (since states can opt out), and berated states for not having spent a backlog of $6 billion in previous aid rapidly enough.

President Bush's campaign website trumpets the administration's success at enacting "historic levels of funding" on its watch, including a 49 percent increase in total K-12 spending, $139 million for reading programs totaling four times the anount spent in FY 2001, and a 75 percent increase in special-education funding. Bush has highlighted school spending on the campaign trail, telling a West Virginia crowd, "Listen, we've increased the budgets out of Washington by 49 percent since 2001. That is a healthy increase." A Department of Education official later publicly boasted, "Funding has gone up 49 percent under President Bush. Let me repeat that: 49 percent. That's a huge, historic, gargantuan increase in federal education spending."

Mr. Hess is director of education-policy studies at the American Enterprise Institute and author of *Common Sense School Reform*.

The administration is correct. In its first three years, elementary- and secondary-education spending increased by more than it did during the entire Clinton administration. Between 2001 and 2004 federal education appropriations nearly doubled, from $29.4 billion to $55.7 billion. Moreover, the GAO has concluded that the new requirements actually imposed by NCLB—testing every child, for example—are relatively inexpensive and are more than adequately offset by federal education dollars.

The problem is not with the particulars of the defense offered by the administration, but with its basic assumptions. Conservatives have permitted the debate to proceed on the dubious assumption that Americans are shortchanging our schools and that promising new dollars is de rigeur for those who would promote serious school reform. The current debate has obscured the fact that, by any reasonable standard, American schools are exceptionally well funded.

The truth is that, between 1960 and 2000, after-inflation education spending more than tripled. Harvard's Caroline Hoxby has found that real, inflation-adjusted spending grew from $5,900 per pupil in 1982 to more than $9,200 in 2000. In its most recent figures, the Organization for Economic Cooperation and Development (OECD) estimates that current U.S. education spending is over $10,800 per child.

In fact, some may be surprised to learn that the U.S. ranks at the top of the international charts when it comes to education spending. In 2000, the most recent year for which international comparisons are available, the OECD found that the United States spent significantly more per child than any other industrial democracy, including those famous for their generous social programs. In primary education, on a per-pupil basis, the United States spent 66 percent more than Germany, 56 percent more than France, 27 percent more than Japan, 80 percent more than the United Kingdom, 62 percent more than Finland, 62 percent more than Belgium, and 122 percent more than South Korea. At the secondary-school level, the figures are similar, with the U.S. outpacing Germany, Japan, the United Kingdom, Sweden, and South Korea, among others, by more than 40 percent per pupil.

Despite all this spending, the U.S. ranked 15th among the 31 countries that participated in the OECD's 2000 Program for International Student Assessment reading exam. Ireland, Iceland, and New Zealand were among the nations that outperformed the U.S. while spending far less per pupil. The results in math are equally disquieting: In the international 1999 TIMSS study, which assessed mathematics and science achievement at the eighth-grade level, the U.S. ranked 19th out of 38 countries.

Not only are we spending education dollars without much payoff, we are spending more than we think. The accounting guidelines in schools would bring smiles to the former executives of Enron or Tyco. Unlike private-sector businesses, school systems exclude several major costs when computing "current expenditures." Among those excluded: property acquisition and construction.

UCLA business professor Bill Ouchi has calculated that in New York City, during the 2001-2 academic year, the cost of debt service, school construction, and renovation added $2,298 to the $11,994 in reported current expenditure—meaning the district actually spent $14,292 per student. In Los Angeles, the true per-pupil cost in 2001-2 was $13,074. A reasonable estimate is that the

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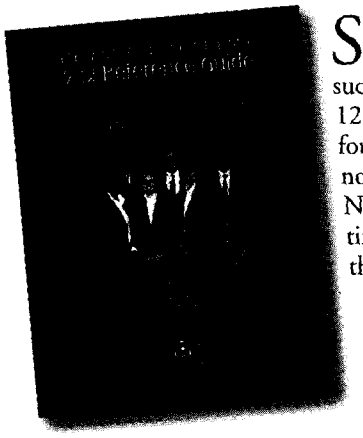

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per-pupil spending figures you see in your local paper represent only about 70 to 80 percent of what is actually being spent.

In California, a state beset by yawning budget problems, personnel costs outstripped revenue growth in 13 of the 20 largest school districts between 1996 and 2002. Sacramento enjoyed revenue growth of 33 percent and saw enrollment grow by just 4 percent in that period, yet even then found a way to boost its personnel costs by 41 percent. This summer's state budget, passed after a contentious legislative session, included a 5 percent increase for K-12 education and devoted $49.2 billion of the $78.7 billion education budget to K-12 schooling. Were the educators elated by their good fortune? Hardly. *Education Week* reported that state superintendent of public instruction Jack O'Connell was "disappointed" by the budget and that educators were simply relieved "the numbers were not as bad as they could have been."

The endless flow of money has allowed schools to avoid cutting fat even as other organizations have slimmed down. Between 1949 and 1999, the number of non-teachers employed by American schools increased from one for every 2.36 teachers to one for every 1.09 teachers. In New York City, for instance, the public-school district employs about 25,000 central-district personnel to manage the affairs of the district's 1 million students. The New York archdiocese, which enrolls about 110,000 students (approximately a tenth of what the city's public schools enroll), makes do with a district staff of 22.

For decades, we have poured money into shrinking class sizes and reducing teacher workloads. Between 1960 and 2000, the ratio of teachers to students fell from one teacher for every 26 students to one for every 16.1 students, meaning that today's teachers instruct only about 60 percent as many students as teachers did 40 years ago. Meanwhile, the amount of time teachers spend with students each day has actually shrunk, from an average of 4.5 hours in 1980 to 3.9 hours in 1998.

In short, we're spending more to hire more non-teachers *and* more teachers (each of whom spends less time teaching fewer children). The result is that, while total spending on teachers has rocketed, individual teachers have seen limited increases and feel underpaid. Additional personnel have soaked up dollars that could have rewarded accomplished practitioners, been invested in technology, or used for effective professional development.

It is indeed possible that we do not spend enough on schooling. However, until we start wringing out inefficiencies and rewarding educators for finding ways to do more with less, there's no way to know. Until we make that effort, more spending is an excuse for lethargy and for ducking hard decisions.

Leading conservative voices in Washington and in the state capitals have allowed themselves to be backed into a corner where their credibility as serious education reformers rests on their willingness to first promise more money for the schools.

New spending inevitably yields new initiatives tossed atop old inefficiencies. Buying off the status quo is no way to focus the education debate on accountability, competition, parental choice, flexibility, or results. Rather than brag that they too can spend like drunken sailors, serious reformers should instead insist that educators show *them* the money—and the results. The truth is that our schools should be doing a lot better for the money we spend. Elected officials should remember that—and run on it. **NR**

The Good and The Bad (Plus Some Ugly)

Moments on campus

RACHEL ZABARKES FRIEDMAN

TODAY'S college campus is a study in contrasts. Professors and administrators cling to their grotesque orthodoxies, but students seem to be getting saner by the year. What follows are five of the most outrageous campus incidents of the last academic year, then five of the most heartening acts of courage.

■ The conservative-speaker double standard is almost an academic institution. At Bucknell University, administrators refused a student group's request to invite Republican congressman and Senate hopeful Pat Toomey to give a speech, arguing that his appearance would violate a school policy against electioneering on campus. Meanwhile, Bucknell paid presidential candidate Ralph Nader $13,000 to give the school's commencement address.

■ In an environment that rewards and even reveres victimhood, some people will do anything to prove themselves worthy. In 2001, for example, a Muslim student at Arizona State falsely claimed—twice—that he'd been assaulted after September 11. Two years later, a black student at San Francisco State scratched "NIGG" on a dorm-room door and wrote the same on a note to herself. Last spring, Claremont McKenna professor Kerri Dunn reported that her car had been vandalized—tires slashed, windows broken, racist and anti-Semitic slogans spray-painted on—after she'd given a lecture on racism. The campus predictably responded with outrage; classes were cancelled and pro-diversity events held. But Dunn's credibility soon began to erode, and witnesses testified they'd seen her vandalizing the car herself. You know you're living in interesting times when those who make fighting intolerance their life's work feel the need to create it.

■ Each year, the Collegiate Network selects five campus outrages for a special award. This year, one "winner" was the University of California-Santa Barbara, where the multicultural center, as part of its "Race Matters Series," sponsored a presentation by a Chicano Studies major called "F*$%ing with Stereotypes: Gay Men of Color in Porn." The student showed clips from porn films and led a discussion about how stereotypes of minorities in gay pornography negatively affect the men who

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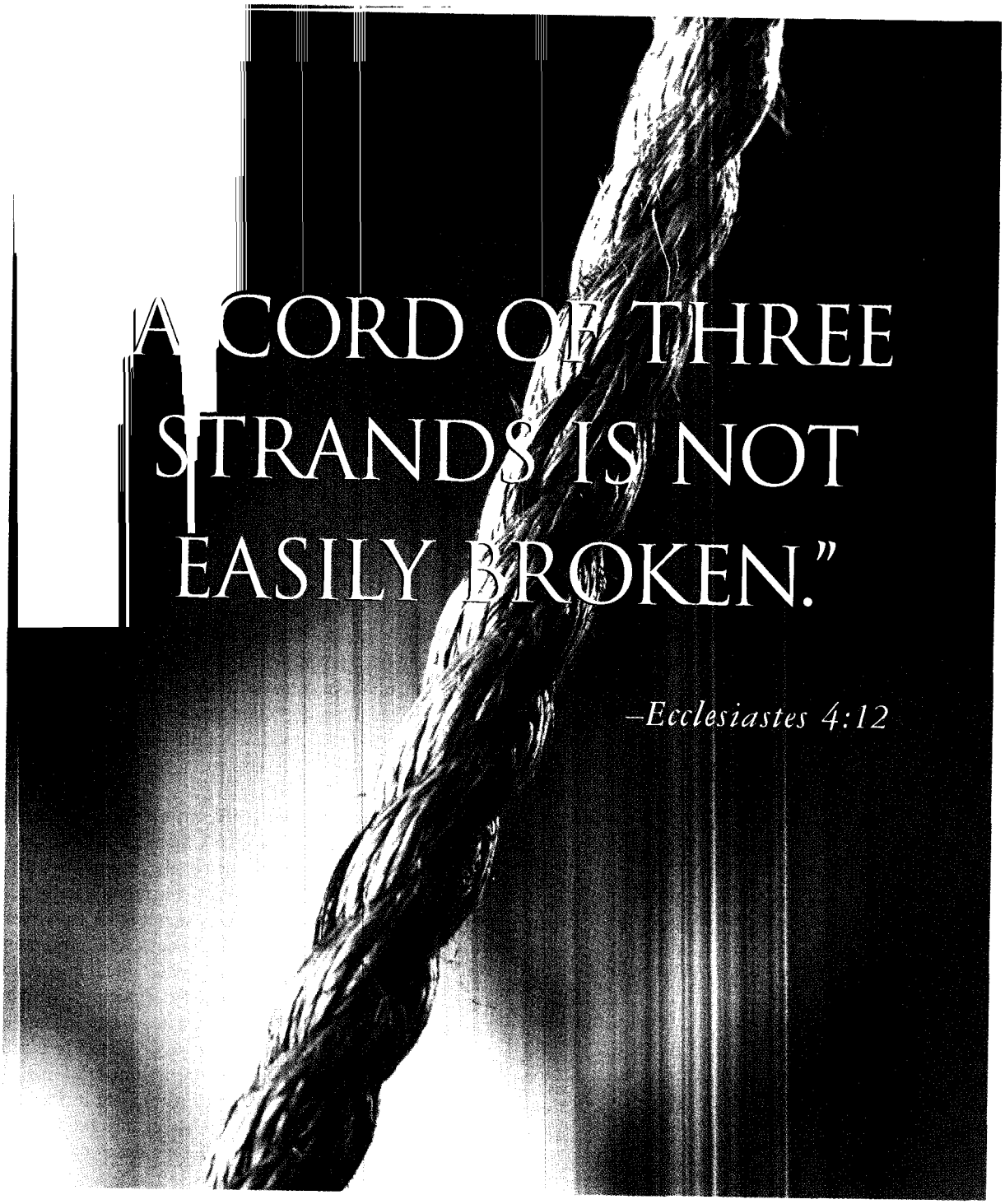

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watch it. The student's work—part of his senior thesis—received praise from administrators. One dean said the student "had done a lot of good work in this area, I appreciated his scholarship . . ."; another administrator called the project an "intellectual exploration" and said, "I was pleased. It showed that we'd be willing to explore difficult dialogues at this university."

■ Here's another example of what can happen when the bounds of tolerance are stretched too far—in this case, in the desperate search for Muslim reformers. Notre Dame appointed Islamic scholar Tariq Ramadan to a tenured professorship in "religion, conflict, and peacebuilding." Ramadan has always projected moderation to the West (as scholars of Islam go). But in July, just before he was to head for the U.S., the Department of Homeland Security revoked his work visa for security reasons. The department hasn't revealed the basis for its decision, but some—in particular Daniel Pipes—have pointed to Ramadan's alleged ties to Islamist terrorists. Nevertheless, Ramadan may still make it to Notre Dame: The university is looking into alternatives, and our very own State Department has suggested he apply for another kind of visa.

■ Why aren't there more conservatives in academia? According to Robert Brandon, chairman of the philosophy department at Duke, it's because all the smart people are liberals. "We try to hire the best, smartest people available. If, as John Stuart Mill said, stupid people are generally conservative, then there are lots of conservatives we will never hire. . . . Players in the NBA tend to be taller than average. There is a good reason for this. Members of academia tend to be a bit smarter than average. There is a good reason for this too." Has Brandon's contempt for conservatives hampered his logical-reasoning ability? Even if most stupid people are Republicans, this tells us nothing about the percentage of Republicans among smart people. Mill was careful to make the distinction: "I never meant to say that the Conservatives are generally stupid. I meant to say that stupid people are generally Conservative." So why aren't there more Republicans in academia? Maybe it's because even the capable ones have been kept out, by the likes of Robert Brandon.

Enough lowlights, now for the highlights.

■ Sometimes, when the sensitivity police strike, students strike back, and even win. Steve Hinkle, a member of the College Republicans at California Polytechnic State University, was in the campus multicultural center one day posting a flier about a speech by Mason Weaver, author of *It's OK to Leave the Plantation*. Students in the center were apparently offended by the word "plantation" and told Hinkle to leave; then they called the police. Accused of "disruption," Hinkle was found guilty by the university's Judicial Affairs Office and told to write a letter of apology to the students or face severe disciplinary measures. Hinkle refused, and instead turned to the Foundation for Individual Rights in Education, a non-profit group that focuses on infringements of liberty on campuses. When FIRE's letter-writing and publicity campaign failed, the group filed a lawsuit on Hinkle's behalf together with the Center for Individual Rights, the public-interest law firm. The university eventually settled, agreeing to expunge Hinkle's disciplinary record and pay $40,000 in attorney's fees.

■ Campus "nondiscrimination" policies are notorious for discriminating against the religious. But at Purdue, a women's group stood firm against a policy that would have forced it to ignore matters of faith when choosing members. The Stewart Cooperative, a Christian women's housing group, knowingly faced eviction rather than agree to admit non-Christians. The group contacted FIRE, which wrote a letter to university president Martin Jischke. To Jischke's credit—or FIRE's, for making the religious-discrimination issue known—he decided that the cooperative and other religious groups would be considered exempt from the policy.

■ After years of exile, the Reserve Officers Training Corps may be poised for a comeback at Columbia, thanks in part to undergraduate Sean Wilkes, a founder of Advocates for Columbia ROTC. As a result of the group's efforts, Columbia now provides information to students about the ROTC program at neighboring Fordham, and lists courses from that program on students' transcripts. Even more important, one of the university's main governing bodies has agreed to set up a task force to consider the possibility of ROTC's return.

■ Carolina Students for Life, an anti-abortion group at the University of North Carolina-Chapel Hill, was intentionally excluded from activities planned by the campus Women's Center, which also refused to post a link to the group's website. So group president Stephanie Evans sent a stern but measured letter to the center and copied it to UNC trustees and administrators. In response (to the letter and the media attention that followed), members of the group were invited to a meeting with a high-level administrator and the Women's Center director. They got a link on the website. The center also posted links to a pregnancy-support service and a site promoting abstinence. Finally, Carolina Students for Life was invited to participate in future abortion-related events. "I don't think we struck any extraordinary deal," says Evans. "I think we got what we deserved and what every other student group had gotten."

■ One big-league hero who's done a great deal for campus freedom is David Horowitz. Horowitz's group, Students for Academic Freedom, achieved an important victory in Colorado with its Academic Bill of Rights. The purpose of the "bill" is to "protect the principle of intellectual diversity" from, among other things, partisan hiring and grading practices, selective funding of groups and speakers, and preventable ideological bias in the classroom. Horowitz reports that after a political struggle, which included several hearings in the Colorado state legislature, University of Colorado administrators acknowledged that intellectual diversity was in trouble on their campuses. They agreed to adopt provisions of the Academic Bill of Rights not covered by existing regulations, and several schools within the Colorado system have already done so.

May sanity prevail. **NR**

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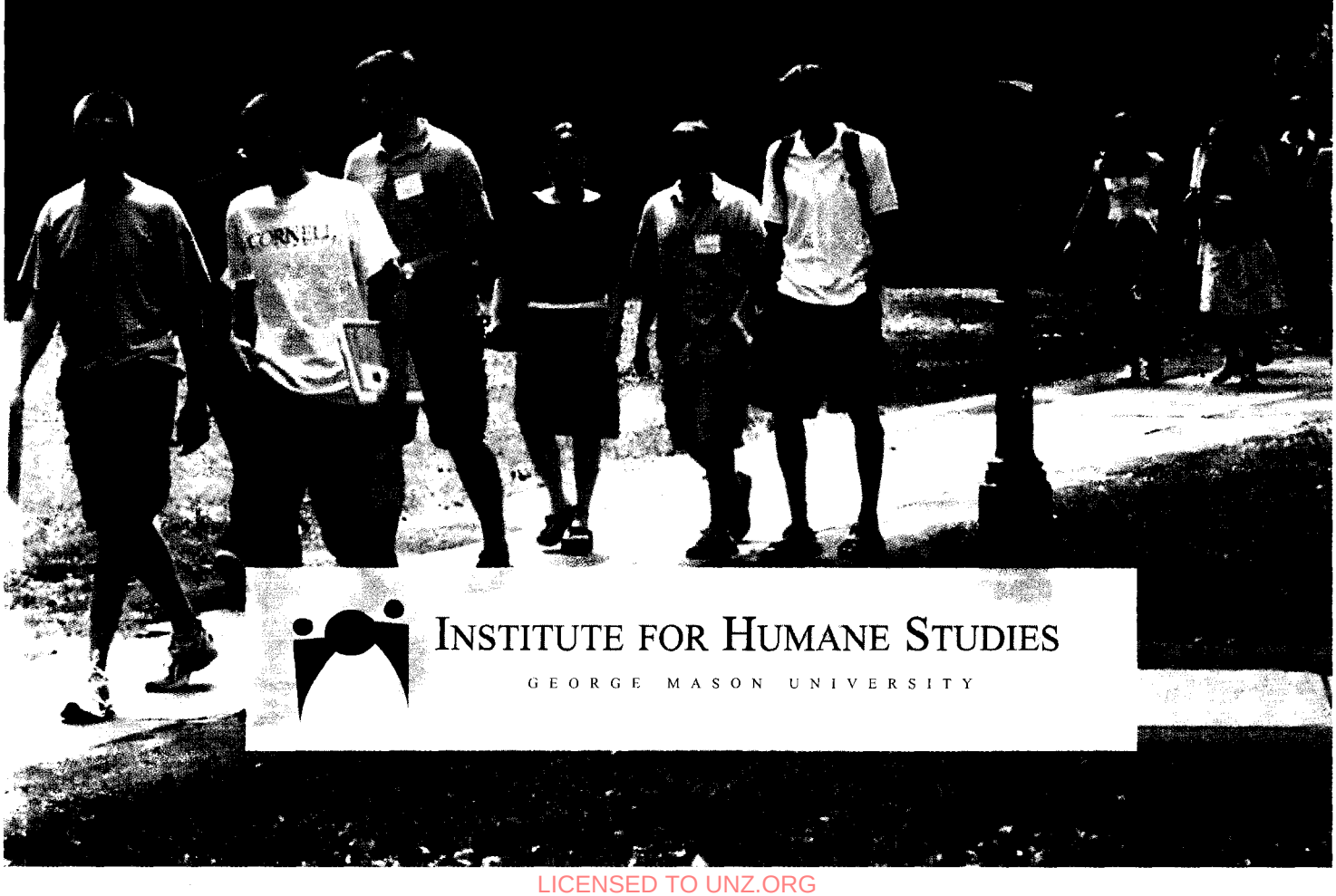

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the long view

ROB LONG

http://ratherman.blogspot.journalspace.com

September 21st, 2005

Current Mood: feeling fat
Current Music: Tori Amos

So it's been, like, almost a year since I left CBS News for a lot of stupid reasons which, if you're still interested in (YAWN!) you can read about here and here and here and here, and today I'm celebrating (YAY!) cuz the network has decided to settle out of court with me and that means I'm free! They agreed to waive the non-compete clause which means old Danno is free free free to do what he does best, which is report and investigate the news. I'm happier than a fat lady's thighs when they've been sprinkled with talcum powder on a hot day. So all you network news mavens out there (except you know who) give me a jingle. I'm tan, rested, and ready to go back to work.

Posted at 08:37 by Ratherman

Incidentally, Eugene Volokh has been blogging nonstop on the ins and outs of my settlement with CBS for wrongful termination. I'm not allowed to comment officially until the settlement is recorded, but let's just say he's absolutely correct about the book deal. It will include reproductions of the disputed e-mails that they say I sent to a Kerry-campaign muckety-muck, but which are clearly not mine and not from my computer. I'll be blogging on this topic next week.

Posted at 09:55 by Ratherman

Instapundit has an interesting, but, to my mind, flawed interpretation on the Iraqi elections. Read the whole thing and then head over to Josh Marshall for a more thorough take. Josh is one of the best newsmen in the business, and his commentary is as dependable and penetrating as a marital aid brought back from some place like Thailand.

Posted at 12:01 by Ratherman

Blogging will be light for the next few hours! I'm having lunch out!!!! For the first time in almost a year!!!!!!! (It'll sure be nice to get out of my pajamas!!!!) With guess who????? The suspense is gonna kill ya!

Posted at 12:33 by Ratherman

Quick thought: Unemployment numbers are in. The economy is as anemic as an heir to the Hapsburg throne. Are people really happy with the second Bush term? Hard to believe this poll or this one. Maybe old Danno was wrong about some stuff but right about the big picture?

Posted at 12:36 by Ratherman

They've got Wi-Fi at the Four Seasons restaurant, so while I'm waiting for my mystery lunch companion I can do some blogging. I'm sorta excited about lunch cuz I think I'm gonna get offered a job in network news, which I'll take faster than a teenage boy is done with his first lady of the evening, but I guess he's running late. Meanwhile, Andrew Sullivan takes me to task for yesterday's post about the distinction between accurate, true, truthful, truish, basically not false, and unconfirmed truthful-sounding potentialities, to which I reply, can't we all just move on?

Posted at 13:05 by Ratherman

Still no show on lunch. Maybe there's a big story brewing that's detained him? It'll be nice to be back in the saddle again. (Sigh)

Posted at 13:32 by Ratherman

Brokaw didn't show. And didn't call. I called him a few minutes ago. He's all oh was that today? And I'm like yes, Tom, yes. Today. I'm sitting here in the Grill Room. And he's all can we reschedule? So I guess no job offer. (Sigh and double sigh)

Posted at 14:45 by Ratherman

Current Mood: upbeat, sorta
Current Music: Ben Folds's "One Angry Dwarf"

So I'm back at home. Pajamas just out of the dryer (Mmmmmmm. Warm pajamas) and I'm over the lunch fiasco and I'm just not gonna beat myself up over it anymore, cuz like Dr. Solomon says, you can't do anything about the past, and the future's gonna come anyway, so what you're left with is the present, and that's where I live now. The present.

Posted at 16:38 by Ratherman

Still can't bring myself to watch the CBS News evening telecast, which is something I never thought I'd say. I've got nothing against Bill O'Reilly, and I'm sure he's doing an okay job. But I just don't think of him as a newsman. He's an opinionator, a political partisan, which is something I never did and never was back when I was an anchor.

Posted at 18:33 by Ratherman

Powerline and Hugh Hewitt are blogging about CBS News's latest statement about our settlement agreement. I fisk it here.

Posted at 18:55 by Ratherman

Meds kicking in. Blogging's gonna be light until AM.

Posted at 20:39 by Ratherman

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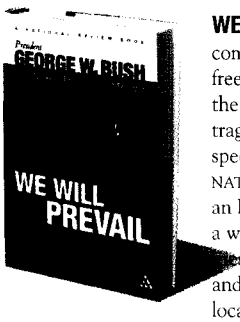

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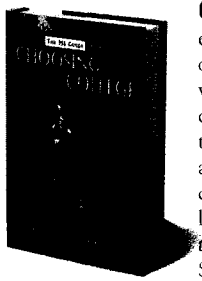

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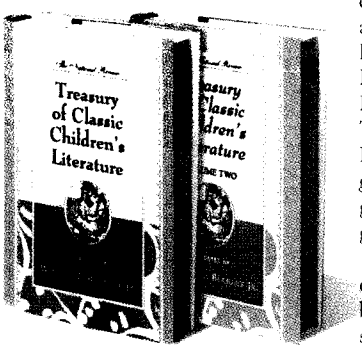

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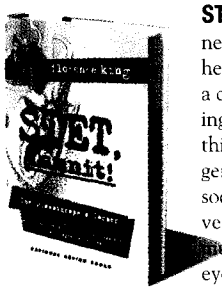

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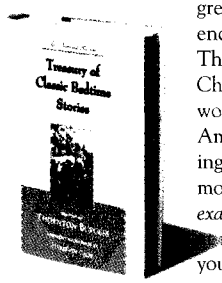

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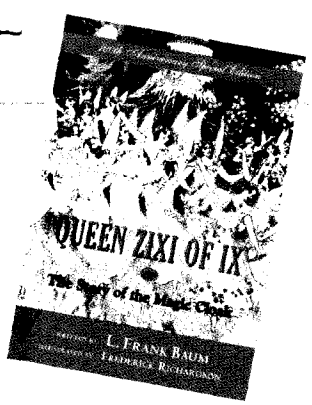

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HELP!!!!

"HE GOT THE IDEA WATCHING OPRAH."

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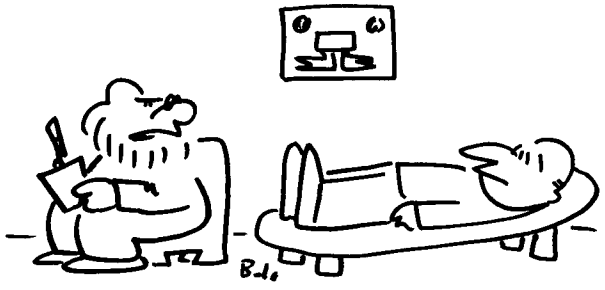
WHITHER RATHER?

He twists on the set in prime time.
Thigh-slapping convulses Karl Rove.
At Black Rock, where CBS spins,
Their tootsies and toesies turn mauve.
The old lady plainly said, "fakes."
Fans cascade to Peter and Tom.
A liberal icon could go
Ka-BOOM with his very own bomb.

—W. H. VON DREELE

"PRESIDENT CLINTON IS RECOVERING NICELY FROM HIS HEART SURGERY."



"We'll get to work on your inferiority complex as soon as you go back outside and wipe those filthy feet!"

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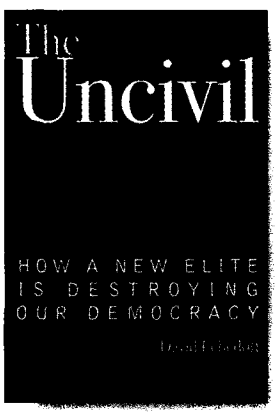
Class Struggle



The Uncivil War: How a New Elite Is Destroying Our Democracy, by David Lebedoff (Taylor, 208 pp., $24.95)

STANLEY KURTZ

With America more divided than at any time since the 1960s, it's time to take a step back and thoughtfully puzzle out the causes of our differences; this is what author and lawyer David Lebedoff tries to do in *The Uncivil War*. The book does not disappoint. Lebedoff believes that our political and cultural struggles are being driven by a conflict between two groups, "The New Elite" and "The Left Behinds." Let's have a look at a couple of representatives of these competing social camps.

Growing up in Allentown, Pa., Charlene had felt a bit ashamed of her hand-me-down clothes and less-than-cultured parents. Yet this bright girl blossomed in college, proud to be accepted as an equal by a circle of friends who made concerts, foreign films, and lectures their mainstay. On getting her doctorate in microbiology, Charlene married a physicist and moved to Seattle. Charlene and her neighbors are culturally sophisticated and fairly well off. They feel they've earned their position in life by dint of talent and intelligence. Having risen above their backgrounds, they're suspicious of tradition and impatient with those who don't see things their way. After all, Charlene and her neighbors have proven themselves to be among the brightest and most knowledgeable of citizens; they are members of "The New Elite."

Edward grew up in Mankato, Minn., a prosperous town of 30,000. His IQ is actually higher than Charlene's, yet he doesn't see his intelligence as the key to his place in life. Edward's father, like his father before him, was a respected lawyer and leader in Mankato. Edward values his family's place in the town, and returned to Mankato to practice law. After an indifferent performance in college, Edward had applied himself and done quite well in law school. Yet he knew that, either way, a desk would be waiting for him at the family firm. Edward sees himself as a leader in Mankato, heir to the standards of his profession, and an admirer of the American way of life. Although a prominent citizen and financially well off, Edward is part of what Lebedoff calls "The Left Behinds."

What sets these portraits apart from a typical contrast between "blue" and "red" America is Lebedoff's focus on intelligence. Edward may be smart, but he doesn't define himself by his intellectual accomplishments; yet Charlene and her neighbors in Seattle became professionals by virtue of their grades and SAT scores. What's more, they know it. Deep down, these sophisticates take their intelligence and success as proof that their anti-traditionalist world-view is right—and that those who see things differently are both ignorant and mistaken.

This, says Lebedoff, is the downside of our meritocracy. A laudable democratic desire to ensure equality of opportunity prompted us to make tests like the SAT a decisive determinant of success; an unintended consequence of this change has been to create an elite that is suspicious of democracy itself. Democracy depends on majority rule, but—without quite admitting it—our elites have lost faith in the wisdom of the majority. They think they're smart enough to decide what's right for all of us. These elites don't realize that most political decisions depend on values, not intelligence. Their unshakable faith in their own intelligence leads them to mistake their own imperfect preferences for the truth.

The tension between the New Elites and the Left Behinds is everywhere in our politics, says Lebedoff. George Bush won because Al Gore was the ultimate embodiment of the know-it-all New Elites. Bush (whose test scores were perfectly respectable) was happy to tell an interviewer that he's not particularly good at digesting 500-page policy tomes. Gore stressed to *The New Yorker* how deeply he'd been influenced by the abstruse French philosopher Maurice Merleau-Ponty. Our press elites took the contrast as a warning about Bush; the public took it as a strike against Gore. Looking at our last few presidential elections as a clash between the New Elite and the Left Behinds is great fun, and Lebedoff pulls it off persuasively.

The New Elite's anti-majoritarian tendencies show themselves most markedly in judicial activism, and Lebedoff's chapter on the courts is a highlight of the book. In it, he outlines the career of Supreme Court justice Felix Frankfurter—exploring why Frankfurter believed so deeply in democratic rule, and how he stood against judicial activism of both Right and Left. Lebedoff's slightly offbeat way of linking the philosophy of majoritarian democracy with the details of personal lives makes a well-worn topic come to life.

His focus on process is the key to his originality. He uses the unexamined structures of modern democracy, like SATs and obscure party-caucus rules, to make sense of everything from popular movies to national elections. This is also the book's chief weakness: The author doesn't merely want to say that process

Mr. Kurtz, a contributing editor of National Review Online, is a research fellow at the Hoover Institution.

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is important, he wants to say it's everything.

Issues don't matter any more, writes Lebedoff: They're nothing more than clues to a candidate's identity—a signal that he belongs either to the New Elite or to the Left Behinds. But this distinction between substantive issues and class identity is misleading. It would be just as accurate to say that voters look to a candidate's personal life for clues about his stand on the issues, as the other way around. Once you know that behind all the obfuscation, a candidate is a card-carrying member of the New Elite, you know a lot about his position on things like gay marriage and national defense; what has tripped up John Kerry is the feeling that his personal story reveals the truth of his hidden liberalism. One can't easily separate a candidate's life story, and his social loyalties, from his substantive views.

According to Lebedoff, the New Elite cares less about issues than about getting one of its own into power: Its members are loyal not to ideas, but "to the categorical manifestations of the testable meritocracy." But then how do we explain affirmative action? Imposed by activist judges against the popular will, affirmative action is a signature issue for the New Elite. Yet affirmative action is a manifest crime against "the testable meritocracy." This is one case where commitment to a substantive issue clearly trumps elite class loyalty.

The example of affirmative action shows that something more is at work in our politics than the influence of intelligence testing. What's driving our politics is a heightened individualism that leads to (sometimes conflicting) calls for ever more radical forms of liberty and equality. The New Elite is the product of increased equality of opportunity, but many among them now insist on equality of result—even if that means betrayal of their own meritocratic principles.

Ultimately, both the emphasis on tested intelligence and the contradictory belief in equality of result depend on profound structural changes that are breaking up traditional American communities and creating a world of free-floating individuals. Lebedoff himself hints at this when he notes that many members of the Left Behinds test quite high: Edward from Mankato is a case in point. It wasn't his test scores that determined his social camp, it was the fact that a strong local community like Mankato still existed. So it's not really IQ tests that are changing our society so much as the breakup of small towns and tightly knit ethnic neighborhoods. That's what's driving today's heightened individualism.

Lebedoff has nonetheless found an original and brilliant way to illuminate contemporary politics and culture. By looking at heretofore unattended structures of social advancement and political control, he manages to make sense of our elections, our beliefs, and our culture. (The chapter on the arts is a gem.) Insofar as Lebedoff tries to make the apparatus of social advancement the sole cause of all else, he errs; but he provides a look at modern society through a lens that is at once thoughtful, novel, and fun. **NR**

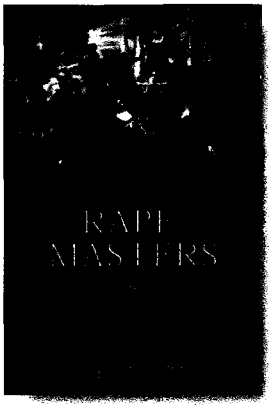
MARCHING BAND

Life will ever go on
When death swings her baton,
Leads crowds of marching souls
Unsmiling, there to pay their toll
While we, sidelined, gape at first
Then losing interest, slake our thirst
At some near bar, or tiled dive
Where soon our talk will turn to snide
With racy implications
Or tenuous intimations
And a thousand other things
That have a familiar ring,
Remote from that unmerry band,
Those spirits walking hand in hand.

We slip a quarter down the throat
Of an old jukebox, there to elope
With an old tune or just mouth the words
From a lifeless song. We deal out cards
With an extended hand across the bar
We wink and laugh, and from afar
Scrounge through salty nuts
For an almond, or a cigarette butt
And then we part, flirt on the terrace
Avert the gaze of an eyebrow raised
With hearts racing
And bodies bracing
We never see that marching band,
Those spirits walking hand in hand.

—SARAH BRAMWELL

The Inhumanities



The Rape of the Masters: How Political Correctness Sabotages Art, by Roger Kimball
(Encounter, 186 pp., $25.95)

M. D. AESCHLIMAN

ROGER KIMBALL'S *Tenured Radicals* (1990) is one of the indispensable books of the last quarter-century, for its lucid analysis of the content of higher education. Kimball documented the transgressive insurgency and large-scale victory in the teaching of the humanities of radicalized intellectuals promoting "ever more sophistical layers of intellectualized mendacity," accomplished largely by self-dramatizing "orgies of disillusionment and skepticism" about reason and ethics. He patiently, carefully scrutinized the acts and works of transgressive Francophone literary sophists such as Michel Foucault, Jacques Derrida, and Paul de Man and their American allies and apologists such as Stanley Fish, J. Hillis Miller ("deconstruction's faithful mascot"), and Geoffrey Hartman.

Kimball's indictment could be ignored, but not answered very easily,

Mr. Aeschliman is professor of education at Boston University, professor of English at the University of Italian Switzerland, and author of *The Restitution of Man: C. S. Lewis and the Case Against Scientism.*

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as he deftly employed the mind's oldest tool of sanity and responsibility, the principle of non-contradiction. Quoting statements from these quicksilver literary sophists, he then employed the ancient "tu quoque" strategy: Apply your own statement to your own work and your own conduct. If, for instance, with Derrida, de Man, and Fish, we deny normal, Aristotelian rational and linguistic procedures and deny the possibility or authority of rational statements and denotative language, then these statements themselves fall under the asserted generalization and are invalid. Kimball's portrayal of "six-figure salary" Stanley Fish as a precise modern counterpart of Socrates's transgressive sophistical opponent Thrasymachus remains a devastatingly effective indictment of a generation of literary nihilists who now regularly confuse or debauch our young people from the expensive heights of Yale, Duke, Harvard, and Stanford. "La trahison des clercs, encore une fois!"

Our current post-humanist establishment is the sinister offspring of the marriage of the French disciples of Nietzsche with the American-born antinomian radicalism of Emerson and Whitman. In *Beyond Good and Evil*, Nietzsche praised France's "cultural superiority over Europe" as the talent for "converting even the most calamitous turns of spirit into something attractive and seductive." The "emancipated," post-moral, aesthetic-nihilist view of reality has indeed been made "attractive and seductive" to 40 years of American university students. Whether this is good news in the era of Zyklon B, the Gulag, AIDS, global terrorism, cloning, and civic illiteracy, is a question worth asking.

Kimball's new book, *The Rape of the Masters*, takes up where *Tenured Radicals* left off, applying the same antiseptic scrutiny to contemporary "cutting edge" art historians who have written about seven important Western paintings: Courbet's *The Quarry* (1857), Rothko's *Untitled* (1953), Sargent's *Daughters of Edward Darley Boit* (1882), Rubens's *Drunken Silenus* (1618), Winslow Homer's *The Gulf Stream* (1899), Gauguin's *Spirit of the Dead Watching* (1892), and Van Gogh's *Pair of Shoes* (1886)—all of which are beautifully reproduced in this volume. The preposterous verbiage and perverse ingenuity of these art historians would be hilarious if they were not so outrageous, feckless, and destructive. Of course, in a world where things disappear before one's sight—where there are no "facts," only interpretations—one is constantly "attracted and seduced" (or assaulted and insulted) by radical relativism and subjectivism. Kimball tries to manage a tone less somber than that of *Tenured Radicals*, where the seriousness of the stakes required not only great care but austerity. Yet he cannot help building toward the conclusion that the PC takeover of the humanities (which my teacher Lionel Trilling saw coming decades ago) has as "its aim to transform art into an ally in the campaign of *de*civilization."

Ariel has been killed, Prospero is in chains, and Caliban holds a named professorship in a 'Humanities Institute' in a major university.

Writers such as Trilling, Czeslaw Milosz, C. S. Lewis, F. R. Leavis, Quentin Anderson, Daniel Bell, Jacques Barzun, Philip Rieff, and Michael Polanyi have developed a wide-ranging critique of our voluble radical skeptics, relativists who nevertheless endlessly moralize. Following Dostoyevsky, Polanyi called "moral inversion" the contradictory syndrome of 1) denouncing ethics as groundless and then 2) furiously issuing ethical pronouncements; no more brilliant and tragic insight has been articulated in the last half-century.

Along these lines Kimball writes: "In contemporary literary and art history . . . the sex card" is "deployed primarily as a *weapon*" in a transgressive assault on any normal idea of a "received social and moral sensibility." The "normalization of previously tabooed sexual attitudes and behaviors has been at the forefront of cultural radicalism since the 1960s," and this antinomian insurgency "is part of a campaign for *de*civilization." We end up with a world of men without chests and women without modesty (*nec vir fortis nec femina casta*), where traditional universals such as common sense, courtesy, reciprocity, deference, honesty, courage—on which any decent civic order must depend—are seen as always ignorant, fraudulent, or self-interested, worthy only of contempt and assault. Ariel has been killed, Prospero is in chains, and Caliban holds a named professorship in a "Humanities Institute" in a major university.

Kimball is refreshingly sensible about the arts; he doesn't think art is necessary for salvation or even justice. He suggests that "the pleasures afforded by purely aesthetic experience" may well be "essentially thirsty pleasures, which by their very nature crave satisfaction in another, less worldly realm," and he worries about the "gaseous conflation of art and a certain anemic species of godless religiosity." What he is coldly, clinically outraged about is conceptual relativism and verbal pollution, the debasing of the intellectual, linguistic currency of our civilization. Just as Samuel Johnson rebuked the radical skepticism of Hume and the French philosophes in the 18th century, so in the mid-20th century Whitehead rebuked Hume and T. H. Huxley on the same grounds: What reason, he asked, could they possibly give for *any* moral views they held, "apart from their own psychological inheritance from the Platonic religious tradition?" Kimball knows that the post-modern, "deconstructionist" hatred of "Logocentrism"—of reason itself—is really a hatred of our

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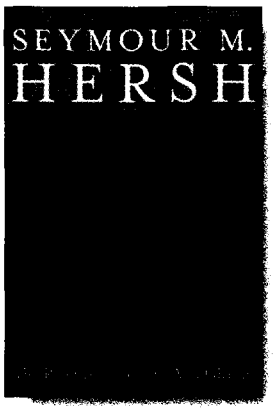
civilization, a battered and tattered civilization, admittedly, but one that nevertheless retains a civilizing trajectory and momentum for many millions of people.

Like that of George Orwell and Malcolm Muggeridge (and Abraham Lincoln), Kimball's defense of the normal idiom of English is itself pitched in normal and lucid prose. He rightly despises the pretentious jargon of the tenured post-humanists. After quoting a ludicrous gobbet of epistemological nihilism from Derrida, he notes that "*every page* of Derrida is like this—a goulash of punning, pointless abstraction"; of Jacques Lacan, he says that his "radical Freudianism has been a godsend to sex-obsessed obscurantists everywhere."

What Kimball does not mention is that the radical arts establishment makes it very difficult for traditionally minded contemporary artists (e.g., figurative painters and sculptors, neoclassical architects) to get shown or known, *The New Criterion* of Kimball and Hilton Kramer being the great, honorable exception. Following on his own satire *The Painted Word*—one of Kimball's compass points—Tom Wolfe has written poignantly in "The Invisible Artist" about the studied neglect of the work of the late, great contemporary American sculptor Frederick Hart. In addition, 15 years ago I submitted to one of the nation's most prominent, highly esteemed illustrated journals an article, with illustrations, on the work of the great contemporary Italian painter Pietro Annigoni (1910-1988), who had recently died. By return mail the article was enthusiastically accepted for publication by a senior editor. Months passed, with no publication and no word from the editor, who did not answer my letters or take my calls. Finally reached on the phone, he whispered huskily to me that an external adviser, a feminist art historian, had vetoed Annigoni as a retrograde traditionalist. Nonetheless, the large crowds at the major Annigoni retrospective at the Strozzi Palace in Florence a few years ago took the kind of delight in art that Roger Kimball defends, recommends, and tries to facilitate in his fine tract for our times. **NR**

Bad Press



Chain of Command: The Road from 9/11 to Abu Ghraib, by Seymour M. Hersh (HarperCollins, 370 pp., $25.95)

ANDREW C. McCARTHY

THIS side of Dan Rather, no one has more cause for concern about fallout from CBS's scandalous document hoax than Seymour Hersh. For no journalist has benefited more from the decades-old jerry-rigged system of American news reporting now being razed before our eyes.

It was a cozy arrangement. A precious few titans—called the "mainstream" media, though there was little mainstream about them—anointed themselves arbiters of the "objective" and the "responsible." *Objective* was a veneer of just-the-facts-ma'am rigor, hiding a supernumerary lens implacably programmed to align selected facts with certain preordained "truths": American strength bad, European piety good, individual initiative dangerous, government social activism desirable, and so on.

Mr. McCarthy, who led the prosecution of Sheik Omar Abdel Rahman and eleven others in connection with the 1993 World Trade Center bombing, is a senior fellow at the Foundation for the Defense of Democracies, and a contributor to National Review Online.

Responsible, in turn, was the process of bolstering this "objectivity" with analysis from dependable sources, trusted to go along with the program and transformed into superstar pundits for doing so.

Only through such an arrangement could Seymour Hersh have thrived. In lionizing this Pulitzer Prize winner, the "mainstream" has honored itself. How fitting, then, that Hersh's new book, *Chain of Command*—derived from his Bush-bashing post-9/11 reports for *The New Yorker*—arrives just as Rather's blogging nemeses have removed the last stitch of the emperor's clothes.

By any truly objective standard, Hersh is a terrible reporter. Real reporting plays it straight and gets it right, and the reader simply can't trust him to do either. Hersh is a hard-left ideologue who disdains facts that collide with his dark theories. His methodology, moreover, is a joke. As has been ably recounted by NATIONAL REVIEW's John J. Miller and others, Hersh's most important sources are anonymous and impossible to verify, while the few sources he does identify tend to be conmen or the transparently agenda-driven. His journalistic practices have been decried by his former *New York Times* editor, A. M. Rosenthal, and embarrassingly laid bare by his own admissions, in court testimony, about concocting elaborate deceptions to pry out dubious information.

More fundamentally, Hersh gets even easily verifiable details wrong. And, as long as a story-hawker is playing to his prejudices, he has proved spectacularly gullible. Indeed, were it not for some rudimentary due diligence by ABC News—the kind CBS recently eschewed—Hersh might have beaten Rather to phony-document infamy when, in the course of compiling his roundly discredited account of the Kennedy presidency (*The Dark Side of Camelot*), he was taken in for months by forgeries trumpeting salacious gossip about JFK and Marilyn Monroe.

Nevertheless, as long as they were the only game in town, the mainstream media could present Hersh as a respectable raconteur instead of a hyper-partisan. In fact, at *The New Yorker*, they still think they can: *Chain of Command* begins with a cloying introduction by Hersh's current editor, David Remnick, who burnishes the legend, elides any hint of the innumerable gaffes, and conveniently explains that, of

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course, Hersh can't be expected to name his sources, but you can bet the ranch on their credibility because, after all, this is *The New Yorker* we're talking about.

Hersh wastes little time cashing in on this license to mutilate. In the book's most explosive section, "Torture at Abu Ghraib," he tries to trace knowing culpability for the degradation of Iraqi prisoners directly to President Bush and Defense Secretary Donald Rumsfeld.

But his case is a house of cards. The White House made a legally unassailable decision after the 9/11 attacks that Qaeda terrorists were not entitled to Geneva Convention prisoner-of-war protections: Captives could properly be subjected to harsh interrogation methods, but not torture. This, to Hersh, appears sinister; so he cites internal memoranda in which government lawyers at the non-policy level discuss the limits of permissible interrogation in light of anti-torture laws, and finds a conspiracy to torture prisoners.

For Hersh, it is immaterial that these memos were never endorsed as policy and that the relevant administration decision-makers all insisted that torture was forbidden. Relying on an unidentified "former intelligence official," Hersh contends there was a top-secret program that licensed the abuse of Qaeda captives for intelligence purposes, and that, in late 2003, the Pentagon shifted the program to Iraq in an effort to get tough with the thriving insurgency there. The result was the Abu Ghraib abuse scandal—which the Pentagon tried to keep a lid on, but could not, owing to Hersh's tireless reporting.

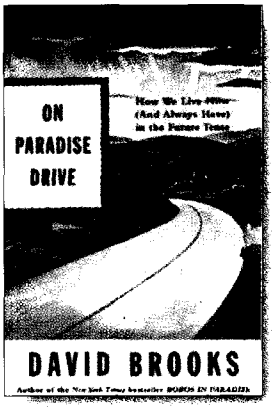
This account is farcical. First, it was the Pentagon, which vehemently denies the existence of such a program, that first publicly revealed prisoner-abuse allegations in Iraq, months before Hersh reported them. Second, Gen. Antonio Taguba was loosed to conduct an aggressive internal investigation—which Hersh selectively praises—and expressly concluded that the abuse was not authorized. Third, former defense secretary James Schlesinger's exhaustive independent probe similarly found neither a "policy of abuse" nor "approved procedures" for inhumane treatment. And fourth, the abuse is being vigorously prosecuted, with 45 personnel thus far referred for courts-martial, and at least one cooperating defendant denying that the heinous conduct was authorized. Hersh nonetheless plows ahead with this and other calumnies, propped up by shadowy sources.

He also reprises his contention that the U.S. was duped into invading Iraq by that root-of-all-evil, the "neocons" in the Pentagon and Vice President Cheney's office. Prominent here is the disingenuous harangue that, to heighten fears of a revived Iraqi nuclear program, the Bush administration relied on crude forgeries suggesting Iraqi efforts to purchase yellowcake uranium from Niger. Hersh's case, again, is a crock. The forgeries were a sideshow, and never the core of concerns about Saddam's ambitions. Probes completed by the Senate Intelligence Committee and Lord Butler's commission in the U.K. have concluded that the uranium allegation was consistent with years of clandestine surveillance by Western intelligence services.

Were it not perfectly obvious from the suspect fact-gathering that his purpose is a pre-election mauling of the sitting president, Hersh's designs would be clear from his choice of identified sources, who are called on when the pretense of impartial expert analysis is in order. On prisoner abuse, for example, his go-to guys are Kenneth Roth of Human Rights Watch and former *New York Times* eminence Anthony Lewis—both scathing Bush critics at the forefront of a due-process-for-terrorists movement. On Iraq, Hersh offers up former weapons inspector and current Saddam apologist Scott Ritter, and Richard Clarke, who, after years of holding very nearly the opposite view, "evolved" into a naysayer on Iraqi ties to terror just in time to pen his own election-year bestseller. And, for the astounding claim that ostensibly successful military operations in Afghanistan were really a study in ineptitude, Hersh is accommodated by a declared Democratic partisan, retired general Wesley Clark.

This is the way the mainstream game, in which Hersh is among the most renowned winners, was always played. The game is ending, apparently unbeknownst to the storied investigative journalist, but not a moment too soon for the rest of us. **NR**

Land of Plenty



On Paradise Drive: How We Live Now (And Always Have) in the Future Tense, by David Brooks (Simon & Schuster, 320 pp., $25)

ROB LONG

It's Big Map season again.

Art departments in every newspaper and TV station are humming with activity, as designers try to come up with this election's simplistic graphic metaphor. Red states and blue states, I think we'll all agree, have been done to death. The challenge now is to create something new, but equally pointless, in time for Election Night.

Because that night, in front of all of those Big Maps, in new suits and ties and smiling knowingly, will come the Parade of the Pretenders—experts and "strategists" and "consultants"—who will say things like, "Tom, Ohio is a state that's been hit hard by the reverse productivity boom of the past three years," or "Judy, West Virginia is a state in transition with a surprising number of progressive tendencies," or "Peter, Pennsylvania is really three states, each with its own problems adapting to the new global economy." It's all blather, of course. For most of those talking heads, a trip though the McDonald's drive-thru on the way to the summer house is about all the America they can handle. They toss around phrases like "soccer mom" and "new economy," but the patter rings hollow. America, for them, is a place you visit, like Costa Rica

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or Prague: colorful, complicated, surprisingly religious, interesting food, that sort of thing.

Still, they know that *something* is happening in America; something big. Population patterns, family structures, neighborhood aspirations—these are all shifting quietly and massively. Things *are* changing out there, west of Riverside Drive and east of Wilshire Boulevard, but the Big Maps don't show it. They depict—and the network windbags will wheeze about—what Donald Rumsfeld might call *Old America*.

For a discussion of *New* America, you've got to turn to David Brooks, whose new book, *On Paradise Drive*, is a lively, deft, and breezy answer to the question that vexes the Big Map Makers: Who are we? Who are we *really*?

On Paradise Drive has a lot of different answers to that question.

We're rich, first of all. In the fast-paced opening chapters, Brooks gives us a pretty comprehensive, and occasionally alarming, Big Map to savor. Fifteen percent of us, apparently, earn over $100,000 a year. Over 7 million households have a net worth of over $1 million. We spend a lot of money on shoes and enormous cups of soda.

And we're from somewhere else. "When I opened up the Loudoun County paper one day," Brooks writes in the first chapter, "and came across the National Scholar Award winners, these were some of the names that were listed: Kawai Cheung, Anastasia Cisneros Fraust, Dantam Do, Hugo Dubovy, and Maryanthe Malliaris." This probably isn't news to those of us who live on the East or the West coast, but then it probably isn't news either to readers who live in the South (Biloxi and Atlanta both boast large Vietnamese populations) or the North (think of the enormous Arab-American enclaves in Michigan).

And we're hard workers. We work more hours and take the shortest vacations of any First World country. Eight percent of us have started our own business. We devour self-help books, business biographies, and personal-management guides. A huge majority of us like our jobs, and an even bigger slice believe that the future is going to be better, happier, and more prosperous than the past.

And our kids are overscheduled, with 3 million of them playing youth soccer, and the rest—those whom Brooks calls "achievatrons"—doing something equally exhausting. By the time they get to college, they're focused, ambitious, and . . . slutty. Sexual experimentation is at an all-time high on college campuses, apparently, and long-term relationships are at an all-time low. This is good news, I guess, for lonely high schoolers who now have something to look forward to, and bad news for social conservatives and everyone too old to re-enroll.

Along the way, Brooks takes some hilarious sideswipes at the clever urban types—you know the ones: hip, smart, reflexively liberal—the very people, presumably, who are tasked with the complicated and doomed Big Map projects in the first place: "Though [they] often can name the foreign minister of France, they tend to live in neighborhoods where everybody has a college degree (only about a quarter of adult Americans do) and they often don't know much about the rest of the country . . . they often don't know what makes a Pentecostal a Pentecostal, even though Pentecostalism is the most successful social movement of the 20th century . . . They can't name five NASCAR drivers, though stock-car races are the best attended sporting events in the country. They can't tell a military officer's rank by looking at his insignia. They may not know what soy beans look like growing in the field . . . and while few people in these neighborhoods have fought in wars, many have endured extensive home renovations."

Ouch. Because that's sort of, basically, when you get right down to it, *me*.

But a quick zip along a Los Angeles freeway, and I find myself in what Brooks calls an exurb—a spanking-new edge city built beyond the outer fringe of a traditional suburb, with big box retailers, brightly colored shopping plazas, a two-decker Starbucks, and wide, six-lane roads. This, according to Brooks, is the future of America. It's "Mayberry with BlackBerries."

It's here, and in the passages threaded throughout the book in which he talks about the exurb phenomenon, that Brooks loses some of his entertaining glibness and swims out into deeper waters. The exurbs are the great mystery of contemporary American life—beyond the descriptive skills of the Big Map Makers and the network know-it-alls—mostly because the people who live there have deliberately removed themselves from the complicated social pecking order. Drive north of my hip, scruffy, almost entirely left-wing Venice neighborhood, and you enter places like Woodland Hills, Westlake Village, and Fremont: too far from Los Angeles to be bedroom communities, too big to be traditional suburbs, and too expensive to be budget alternatives. The people who live in these places do so because they *want* to, to the bafflement of upscale urban opinion-makers who appear on television, or write for magazines, or stand in front of silly maps.

One senses in *On Paradise Drive*, as in his earlier book, *Bobos in Paradise*, that Brooks is circling around some pretty big stuff, about the kind of people we're becoming, about who we are, *really*. As entertaining and witty as this book is, it has a certain cotton-candy quality to it: sweet, sticky, fun but not filling. He's right to avoid the ponderous flatulence of the Big Map guys with their out-of-towner insights, but there's a lot going on out there, and some of it isn't too good, and a writer of Brooks's insight, skill, and obvious love of country is just the guy to help us sort it out. My hope is that in *On Paradise Drive* he's just clearing his throat. **NR**

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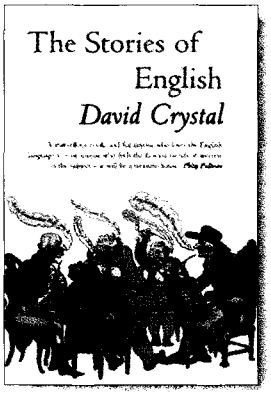

The Stories of English,
by David Crystal
(Overlook, 584 pp., $35)

JAY NORDLINGER

You are awfully lucky to be reading this page. I'm not referring to my review, for heaven's sake—I'm referring to the language. We are awfully lucky to have English, the richest, most useful, most delightful language on earth.

Now, it does not become a native speaker to say this—we should leave it to others. Just as President Bush, in my opinion, should leave it to others to declare America "the greatest nation on earth" (that's the president in his recent convention speech).

Fortunately, people all over the world celebrate English and America alike. (Some of them do it silently, or through gritted teeth.) Those who know an abundance of languages tend to declare English tops. The rest of us should simply be grateful. One of the most touching things about Norman Podhoretz's touching memoir, *My Love Affair with America*, is his repeated expression of gratitude for "having been born into the English language." (I might add that English has made out pretty well on that deal, too.)

At present, a billion and a half people speak English, this tongue that originated 1,500 years ago midst the weird tribes of the British isles. David Crystal knows the language, and the tribes, and the isles. He is one of the U.K.'s foremost linguists, and was, in fact, knighted in 1995 "for his services to the English language," as his bio says. *The Stories of English* must be his summa.

You will note the plural word in that title: "Stories." He makes a great fuss over this, saying that there are multiple—almost endless—stories, and that the diversity of English has been given short shrift in traditional histories, with their emphasis on the Standard (not a particularly favorable word in Crystal's vocabulary). In his Introduction—actually, Introductions—he says—over and over—that he is going to relate the *real* story (oops) of English, taking special care with "ethnic minorities and women." He writes of "Englishes," which, to me, sounds the same alarm as "musics"—yuck.

Not to worry: His Introductions, PC and self-pleased, are the most annoying parts of the book. There are practically no others. When Crystal gets down to work, he lays out a feast of history, erudition, stimulation, and provocation.

He starts with Creation, moves into Middle English, slides into the Early Modern period, and ends with us (in a manner of speaking). Throughout, he sprinkles little essays he calls "Interludes," and hundreds of boxes, or "panels," into which he crams facts, yarns, or mysteries. It is a "patchwork quilt of a book," as he says, but it is not without an internal logic.

This language was always up for grabs, in a sense. Shakespeare, as you know, grabbed like mad.

We meet good King Alfred (849-99), who loved English, and wanted it respected and nurtured. (In part as a bludgeon against the Danes.) Old English was a sprawling, messy affair, at the mercy of its users, high and low, and not necessarily in touch with one another. (Little has changed.) A monk, Ælfric the Grammarian, despaired of copying errors, regarding them as a many-repercussioned curse:

> Now I desire and beseech, in God's name, if anyone will transcribe this book, that he carefully correct it by the copy, lest we be blamed through careless writers. He does great evil who writes carelessly, unless he correct it. It is as though he turn true doctrine into false error. Therefore everyone should make straight that which he before bent crooked, if he will be guiltless at God's doom.

I believe I have copied this correctly. I can't vouch for David Crystal or his predecessors.

English has ever been hospitable to foreign influences; it is, as Crystal notes, "the most etymologically multilingual language on earth." But this has not sat well with some people, over the centuries. In the 1500s, one John Cheke decried the marks of Greek and Latin on English, wanting to return to the pure Anglo-Saxon beginning (which was itself highly impure). "Don't say *prophet*, say *foresayer*," implored Cheke. Too bad. English is a vast melting pot of a language. You can't even tell the Germanic words from the Latinate ones, Crystal proves—not always.

Like the English constitution, this language evolved, informally. It was always up for grabs, in a sense. Shakespeare grabbed like mad, as you know. Crystal has fun showing us what he did with the prefix *un-* alone—e.g., "Unshout the noise that banish'd Martius . . ." And the author—Crystal, not Shakespeare—invites us to participate in "a lexical thought experiment." It's about, oh, 1570. You need an adjective from the noun *discord*. Whaddya do? You got—in alphabetical order—*discordable*, *discordal*, *discordant* (ah!), *discordful*, *discordic*, *discording*, *discordish*, *discordive*, *discordly*, *discordous*, *discordsome*, and *discordy*. Go ahead. Pick one. It's in your hands.

On the language went, with the Wycliffe, Tyndale, and King James Bibles doing much to ratify. But always people complained about change, as they do today. Always, the English of a generation or two ago was better. Always does someone fancy himself the knower of the One True English—at variance with some other fellow's One True English.

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We Americans have staked our ground. Perhaps the first American "loanword" to English comes from Captain John Smith, in 1608. It is "Rahaughcums" ("raccoons"—really). About 200 years later, John Adams proposed a language academy, with no success. But a couple of decades hence, such an academy was established, "to promote the purity and uniformity of the English language." John Quincy Adams was its president; Thomas Jefferson refused to become its honorary president. When it dissolved, Jefferson wrote, "Judicious neology can alone give strength and copiousness to language, and enable it to be the vehicle of new ideas." That is a Jeffersonian approach to English.

If Crystal has a hero, it's Samuel Johnson, who was a balance of formal and informal, prescriptive and permissive—who embodied, to use Jefferson's word, judiciousness. Johnson was a conservative, but he had the noble conservative's hatred of dogma and bullying and lordliness. In language as in other matters, he was generous (while principled).

Crystal is a linguistic liberal, but a linguistic liberal with reason. He ridicules the schoolmarms skillfully, and ultimately bests them, I believe. Anyone who thinks that you can't end a sentence with a preposition, or begin one with "However," is . . . misled. And Crystal is surely right that "etymology can never be a guide to contemporary usage." Anyone who whines that *decimate* used to mean zapping one in ten should be slapped.

Despite the freedom that English gives us—or, indeed, because of it—many people long for a dictator. Lord Chesterfield was such a person, and he chose wisely: "I give my vote for Mr Johnson . . . And I hereby declare that I make a total surrender of all my rights and privileges in the English language, as a freeborn British subject, to the said Mr Johnson . . ." Our language is a mixture of art and science, and we should live in the wealth of it to discover what is right. There is no substitute for experience, searching, and taste (or "ear," if you wish).

But when freedom overwhelms, and you feel the need for a dictator—I suggest Bill Buckley. **NR**

Taming the Beast

Leviathan: The Growth of Local Government and the Erosion of Liberty, by Clint Bolick (Hoover, 208 pp., $15)

JOHN HOOD

In 1651, Thomas Hobbes presented his vision of the social contract, and of the authoritarianism that he believed would be its natural result. The frontispiece of *Leviathan* featured a giant king, sword in one hand and scepter in the other, quite literally lording over the city and countryside. The word "Leviathan," in its original Semitic form, referred to a massive, terrifying sea monster, and appears to have been derived from an adjective meaning "twisted" or "coiled," suggesting some kind of dragon or sea snake.

Clint Bolick has therefore made a very thoughtful choice in titling his new book *Leviathan*. In his telling—which effectively mixes general statistics about state and local governance with compelling cases of political heavy-handedness—individual freedom is menaced by powerful states and localities, coiled around its choke points and ready to strike, as well as by much of the nation's judiciary, which has twisted the original meaning of federalism to subvert liberty rather than protect it.

If the reader picks up this volume expecting a handbook on how to advocate limited government within state and local politics, he will be disappointed. Perhaps someone should write such a book, but Bolick did not. He argues that electoral politics will not likely prove to be the most successful response to state and local tyranny. The political system generates rent-seekers, perfidious politicians, and voters suffering cognitive dissonance.

Mr. Hood is president of the John Locke Foundation, a state policy think tank in Raleigh, N.C., and author of the forthcoming *Selling the Dream: Why Advertising Is Good Business* (Praeger).

Americans say in general that government is too big and tries to do too much, but then demand in specific instances precisely the transfers and intrusions they oppose in the abstract. "Such is human nature, whose excesses our republican form of government is supposed to curb," Bolick writes. "If the elected branches of government are unlikely to adequately safeguard liberty, where can we turn? For better or worse, the main recourse is the courts."

Conservative advocates of judicial restraint and deference to majority rule will bridle at the suggestion. But Bolick persuasively responds that principled activist courts, assertively defending federal and state constitutional safeguards, would be entirely different from the modern-day judicial activists who invent new "rights" that are little more than unjustified grabs of power or wealth from others. He argues that judges who take seriously the doctrine of enumerated powers, the Ninth and Tenth Amendments, the "privileges and immunities" clause of the Fourteenth Amendment, and the natural-rights philosophy enshrined in the Declaration of Independence play an "essential part of the democratic process, for they act to constrain the inherent democratic impulse toward larger government and the invasion of individual rights."

Bolick's *Leviathan* provides a solid introduction to such ongoing controversies as commercial regulation, racial preferences, property rights, freedom of association, asset forfeiture, and parental choice in education. Particularly instructive is his discussion of how federalism curiously and disastrously evolved from a critical element in the checks and balances of governmental restraint to a doctrine misused by both social democrats and segregationists to defend governmental tyranny.

The core of the book, however, is the author's account of a series of cases that he and his colleagues at the libertarian public-interest law firm Institute of Justice have worked on to challenge the power of state and local governments to inhibit free enterprise, erode equality under the law, and encroach on personal liberty. Bolick was a cofounder of IJ in 1991 and most recently headed up its efforts to start state chapters around the country (he has since became president of

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School Choice Alliance, retaining an IJ affiliation as counsel for strategic litigation). The group has been at the forefront of (in the words of its motto) "litigating for liberty" in many high-profile cases, including the successful defenses of school-voucher programs in Milwaukee and Cleveland, lawsuits to keep municipalities from enforcing Jim Crow-era regulations restricting competition in such services as hair styling and taxicabs, and local misuses of the power of eminent domain to dispossess landowners of their property for the benefit of private developers.

One of my favorite examples of IJ's work is its victorious effort to keep three pieces of Atlantic City property—an Italian restaurant, a gold shop, and a private home—from the greedy clutches of The Donald. Desiring a lot next to his casino to park his limousines, Trump convinced Atlantic City officials to exercise the power of eminent domain to condemn the properties. But he didn't count on IJ's legal or media acumen. Now a reality-TV star on NBC, Trump fared less well on ABC when he stormed out of a John Stossel interview about the Atlantic City dispute. Even Garry Trudeau's *Doonesbury* picked up on the story, with a strip that had Trump trying to hire a hit man to knock off the owners of the Italian restaurant in question. Eventually a New Jersey court told Trump and city leaders to knock it off. One can only guess what two choice words Trump may have had for his hapless attorneys.

The Atlantic City case points to an important truth about Bolick's strategy for constraining the size and scope of state and local government: His approach is to use not just the sharp point of the legal sword—filing cases in court, and winning them with formal argumentation—but also the cutting edge of publicity. There's nothing new, Bolick writes, in advocates' taking their cases to the court of public opinion: "The image of James Meredith walking with federal escorts into the University of Mississippi . . . was probably more significant in expanding freedom than the underlying lawsuit that won him that right." One might say the same about images of young black children striding confidently into schools of choice—or Donald Trump stomping angrily away from the scene of his failed land-grab. **NR**

■ **SHELF LIFE** ■

God, Man & The Founding

MICHAEL POTEMRA

To understand America, one must understand the religion of its Founders: This is the clear lesson of the fine new anthology ***Protestantism and the American Founding*** (Notre Dame, 281 pp., $25), edited by Thomas S. Engeman and Michael P. Zuckert. "While there *were* many religions in 1787," writes Engeman in his introduction, "overwhelmingly they were branches of the Reformed or Calvinist trunk." It is estimated that over three-quarters of Americans at the time of the Revolution were members of denominations from the Puritan wing of the European Reformation—and, says Engeman, "Protestant thought and practice had even greater influence" than these numbers would suggest.

The central question addressed in these essays is: Was the American Founding an Enlightenment-inspired repudiation of the colonies' Puritan heritage, or a natural development out of that Puritan background? Thomas G. West, a professor of politics at the University of Dallas, argues persuasively that it's a serious mistake to view the Founding as a rupture with the Puritan project. Puritanism, he writes, began with a "fierce . . . spirit of independence from all human authority while being totally devoted to Christ." This idealism was supplemented in the colonial years by a growing realization that "man's imperfect or fallen nature was . . . unchanged by divine grace" and that therefore "limited government and the rule of law were indispensable." This process of political education culminated in the Puritans' adoption—"*as part of their theology*," West emphasizes—of Lockean social-compact theory.

"The Puritans," West writes, "did not think of themselves as turning away from Christian political theology, but as approaching more closely the truth of that theology. . . . By the mid-18th century, the 'Calvinists' were no less devoted to the new understanding of politics than the 'rationalists.' . . . Just as in early Puritanism, the secular is for the sake of the sacred. But the sacred now includes respect for the God-given liberty of all."

This is a crucial late-Puritan insight: that the revealed laws of God do not conflict with the "self-evident" truths available to the light of reason. Another contributor, Wheaton historian Mark A. Noll, describes the breakthrough as follows: "The merger of Protestant convictions about providence, covenant, and virtue with secular convictions about liberty, rights, and virtue, which had once been only occasional and adventitious, became ubiquitous and systemic." From these roots came the American Founding, in which a basically religious society was fostered and strengthened by a secular government. And the roots, editor Engeman concludes, still vivify the nation: "The founders' friendly disestablishment continues to supply the foundation for a free, religious, and public-spirited democracy."

■ Do not be deterred, if you are neither young nor Catholic, from reading George Weigel's excellent ***Letters to a Young Catholic*** (Basic, 251 pp., $22.50); it's a charming and eloquent extended essay that genuinely captures the spirit of a great religious tradition. Weigel communicates the sense that lived Catholicism is more than the sum of its dogmas: It is, "at bottom, a way of seeing the world." A central distinguishing feature of Catholicism, throughout its history, has been how seriously it has taken the physical world. Weigel points to the "*sacramental imagination*—the core Catholic conviction that God saves and sanctifies the world through the materials of the world." This is a theology of Incarnation, and it reaches the very heart of Christianity. Weigel quotes a marvelous comment Evelyn Waugh made to George Orwell about his novel *1984*. "The book failed to make my flesh creep as presumably you intended," said Waugh, because "men who have loved a crucified God need never think of torture as all-powerful."

Moving and provocative, this book offers many pleasures. I also strongly recommend Weigel's monumental *Witness to Hope: The Biography of Pope John Paul II*; it's one of the best religious biographies ever written. **NR**

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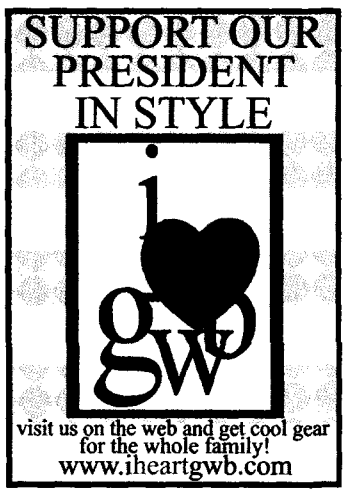

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WILLIAM F. BUCKLEY JR.

Gruesome and Constitutional

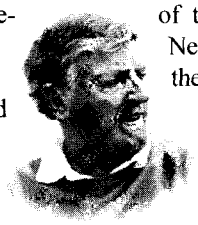
NEW YORK, AUGUST 27

HERE are some useful givens in the matter of the partial-birth-abortion litigation.

In 1973, in *Roe* v. *Wade*, the Supreme Court promulgated (vouchsafed?) a right to abortion. Although the decision was qualified, it was quickly interpreted by both sides as being pretty much categorical in its interpretation.

The advocates of *Roe* read into the language, and quite reasonably so, that the health of the mother was the critical consideration. If her health were invoked as a reason to proceed with abortion, then that consideration became paramount.

Critics of the decision stayed up late at night seeking to find means to keep abortion rights from being categorical, in the sense that the rights to free speech are such. The primary matter that needed thought was the whole business of the health of the mother. When a doctor is asked to cite health as a reason to go forward into the later trimesters, is he actually talking about health defined as survival?



The attempt has been made to modify abortion rights to relate in a substantial way to the "health" of the mother. Is it supposed that, if the abortion were denied, the mother would die? Be crippled?

But formulations so arrant were not acceptable to the totalists. They held that the health of the mother is subjectively relevant. A doctor can advise that the health of the mother requires abortion because otherwise the mother would become morose, or disoriented, or whatever.

The battle line became, just what is it that constitutes endangered health? Can legislation limiting abortion hope to succeed by objectifying health as actually involving the mother's physical health?

When last year Congress passed a law outlawing partial-birth abortions, the emphasis was on the special nature of such procedures. They were described by Judge Richard Casey—who went on to declare the law prohibiting them unconstitutional—as "gruesome, brutal, barbaric, and uncivilized." Never mind, said Judge Casey, the order of things requires the court to reject the law as contradicting constitutional findings on women's rights.

The ruling of Judge Casey was greeted with enthusiasm by Louise Melling, of the ACLU: "We can only hope, as we have decision after decision after decision striking [down] these bans, saying they endanger women's health, that the legislatures will finally stop."

Three lawsuits were filed after the law was passed. We heard from the San Francisco district court, now New York, leaving Lincoln, Nebraska. However the court there goes, the law is clearly headed for the Supreme Court

Shannen Coffin was with the Civil Division of the U.S. Department of Justice. He coordinated the government's defense of the partial-birth-abortion ban in Nebraska and New York. In his view, the Supreme Court has edged us into a quandary by the continuing affirmations of *Roe* as something in the nature of a constitutional charter. When Congress (345 members voted in favor of the partial-birth-abortion ban) responds so massively against what the same judge who invalidated the law termed a "gruesome" practice, one looks for some prospect for relief from judicial absolutism. Mr. Coffin believes that the forthcoming election is critical, inasmuch as President Bush is the most prominent sponsor of the partial-birth ban and indirectly, the sponsor of the movement that seeks to mitigate excesses. He hardly expects that a Republican victory would bring on a modification in judicial absolutism, but he does believe that political action is needed to persuade the Supreme Court to modify its interpretation of *Roe*, and appease the general sentiment opposed to partial-birth abortions.

A political event is needed to affirm that a democratic society is free to react against uncivilized practices, athwart abstractions of the judiciary.

Dead Ahead

NEW YORK, SEPTEMBER 14

EVENTS in Iraq bring home the mess we are in. To acknowledge this isn't to say that we were wrong in going to war. But the daily reports instruct us in the need for strategic thought of a kind that we are unlikely to get from the president or from Senator Kerry, whose perspectives are circumscribed by immediate concerns.

The challenge we face is brilliantly addressed by Mark Helprin of the Claremont Institute in the current issue of the *Claremont Review of Books*. What he tells us is something we osmotically know simply by looking hard at the scene in the Middle East and staring down into the Axis of Evil pool. Helprin reminds us that we are at war against terrorism and that the appropriate mobilization to fight such a war is a whole dreamland away. Since launching the war in Iraq, we have conquered Baghdad and deposed Saddam. In the past 18 months, we have faced what seems an infinite elongation of the task at hand. There are more terrorists today than there were a year ago. The mobilization of terrorist enclaves continues. The looming presence in the Mideast isn't the U.S. military, it is an Iran that seems to be engaged in a contest with North Korea as to which nation can more quickly attain nuclear weaponry.

Mr. Helprin begins with a postulate, which is that the United States has the resources to fight back.The good news is that we have the wherewithal; the discomfiting news, that sacrifices will be needed, and, above all, the will.

Helprin gives us an economic perspective. The U.S. produces $11 trillion worth of goods and services annually. We allocate $400 billion to military spending. That amounts to 3.6 percent of the GDP.

By contrast, during the peacetime years between 1940 and 2000, we spent 5.7 percent of the GDP on defense. In the war years, we spent 13.3 percent on defense. By the last years of WWII, we were spending as much as 38.5 percent of the GNP on the military. To put the same level of effort into the war on terrorism, we would need, for military spending, $4.2 trillion, ten times the existing budget.

How to deploy such a force?

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Mr. Helprin accosts the question of Iran. "The sure way to strip Iran of its nuclear potential would be clear: issuance of an ultimatum stating that we will not allow a terrorist state . . . to possess nuclear weapons." We would clear the Persian Gulf of Iranian naval and coastal defense forces. Cut corridors across Iran that would be free of effective anti-aircraft capability. Bring carriers to the Gulf and expeditionary air forces to Saudi Arabia, and prepare long-range heavy bombers here and in Guam. "If then our conditions were unmet, we could destroy every nuclear, ballistic-missile, military-research, and military technical facility in Iran, with the promise that were the prohibited activities to resume and/or relocate we would destroy completely the economic infrastructure of the country."

Helprin's vision is informed by the catastrophic consequences of modern weaponry. We can't be indifferent to movements in any country which are designed to accumulate the kind of power which could kill millions of Americans.

"What is it worth to be properly prepared for a smallpox epidemic that might kill scores of millions of Americans, or perhaps 100 million? . . . And to preserve as a principle and in actuality both American security and independence? Merely as a matter of honor, with all calculations aside, it is worth any material expense to remove terrorist hands from the control of American destiny."

The Influence Behind W.

NEW YORK, SEPTEMBER 17

THE charge of scandalous behavior by Lt. George W. Bush in the National Guard evolves, on reflection, into scandalous behavior by CBS and Dan Rather. Mr. Rather is standing by his story, but hanging on by his fingernails. The focus had been on whether CBS had relied on forgeries. In his second *60 Minutes* broadcast, Rather had the courage to bring onstage the 86-year old secretary, Mrs. Marian Carr Knox, who said flat-out that the document suggesting inattentive duty was a forgery—this was not a document typed by her or in her office. But even though the document was fake, Mrs. Knox went on, its sentiments weren't fake. Namely, that Lieutenant Bush was happy-go-lucky in the Texas National Guard, more interested in other things than Guard duty.

At that point Dan Rather looked sternly at his guest, and indeed at life itself, and said, Well, then, George Bush defied direct orders!

Yes, said Mrs. Knox.

The concrete issue had to do with his failure to take a physical examination on the appointed day. These physicals, *60 Minutes* viewers were told, were routine annual requirements. An officer was supposed to undergo a physical on his birthday, a reasonable arrangement designed to allocate medical resources. But Bush didn't take the exam that day.

An awful, irreverent thought enters impious minds. Namely: So what?

So he missed the physical. What did the postponement of it have to do with anything of current interest? No one has charged that he missed the physical in order to conceal something. Conceal what? That he had syphilis, and didn't want to show up with the medics until his antibiotics had dispelled all traces of it? That he had taken to defying military authority to express his iconoclasm?

It was stressed that he had been given leave to move to the Air Guard unit in Alabama, which would permit him a role in the Senate campaign of Winton Blount.

Giving him leave didn't affect pressing military concerns. "In 1972," according to retired Col. William Campenni, who flew with Bush in 1970 and 1971, "there was an enormous glut of pilots. The Vietnam War was winding down, and the Air Force was putting pilots in desk jobs. In '72 or '73, if you were a pilot, active or Guard, and you had an obligation and wanted to get out, no problem. In fact, you were helping them solve their problem."

And then the theme is advanced that Bush got into the Guard because of influence. Service in the Guard was coveted, because homeland duty is clearly preferable to overseas duty in combat zones. But Guard units were hardly cloistered. Air Guard pilots flew 24,124 sorties and 38,614 combat hours in Southeast Asia during the months after Bush started his service. The scholar Charles Gross records that "85 percent of the personnel in the Vietnam-based 355th Tactical Fighter Squadron . . . were Air Guardsmen."

Bush began his training in May 1968. He did six weeks of basic training, 53 weeks of flight training, and 21 weeks of fighter-interceptor training. Guardsmen were required to accumulate a minimum of 50 points annually to meet their yearly obligation. Bush accumulated 253 points his first year, and a total of 589 points in the succeeding three years, before his Alabama leg and his discharge.

Was there influence accountable for his getting into the National Guard?

Here is a subject best ignored, but when raised, requiring basic sophistication. Grown-up people know that influence is everywhere used. When Bush joined the Air Guard, his father was only a congressman. So George W. could get away with—what? His father didn't exactly own the National Guard. So he got in because his father was in Congress and his grandfather had been in the Senate?

Anybody who believes that influence isn't a factor in life was never asked to write a letter to a congressman asking him kindly to endorse the application of Joey from next door to enter West Point. That's how much of life works. Influence is not to be confused with corruption. Influence can get you to the head of the line to get your driver's license; corruption is when you fail the test, but get the license anyway.

Lieutenant Bush flew successfully, adroitly, admirably. His inclination to move on after four years to help a Republican candidate is testimony to a lively disposition, in a 25-year old, to move on, to undertake another challenge. He did this in Alabama and, after his discharge, went on to Harvard Business School (what influence got him through the rigorous exams they give you at Harvard?), getting his degree. Then back to Texas into business, then politics, then the governorship, then the White House. How did he get to the White House? Influence with the voters.

—UNIVERSAL PRESS SYNDICATE

"I'm famished, Joe—bring me something with an olive in it."

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happy warrior

MARK STEYN

No, *You* Get Real

As this unworthy election campaign heads toward its finale, there's a growing consensus among sections of the Right that John Kerry missed a trick. George Will puts it most forcefully: The Democratic nominee should have mounted "a root-and-branch critique of the stunningly anticonservative idea animating the administration's policy. The idea, a tenet of neoconservatism, is that all nations are more or less ready for democracy."

In other words, the Iraq project is founded on the kind of sappy cotton-candy delusion that hitherto only the most foolish multiculti liberals have fallen for.

First things first: There are several just-about-viable positions Senator Kerry could take on Iraq, and at one time or another he's taken most of them, sometimes on the same weekend. But running as Henry Kissinger isn't one of them. Hard-nosed foreign-policy realism necessarily involves taking a dimmer view of the natives than Democratic-party pieties will permit. That's why blaming it all on Halliburton works better as the default option.

As to whether "nation-building" is stunningly anticonservative, I can only speak for myself. I'm not a "neocon." I'm a foreigner and I have only a hazy grasp of what a neocon is. I'm a subject of Her Britannic Majesty and in my country, Canada, insofar as any of our institutions work, they do so because they derive from Britain. That's true of a lot of the world—St. Lucia, Australia, Mauritius, Singapore, South Africa, Tuvalu . . . It's worth considering, for example, what the Indian subcontinent would be like if it weren't the world's biggest Westminster-style democracy. Without the long British experience, it might look something like the Middle East—a patchwork of princely states presided over by sultans and maharajahs, Hindu and Muslim, punctuated by thug dictatorships following Baath-type local variations on fascism and Marxism. It would be a profoundly unstable region with a swollen uneducated citizenry of little use for call centers or tech support.

Can the Arabs be turned into Indians? I don't know. But I do know that a half-century of American "realpolitik" in the Middle East—the absurd inflation of the Saudi "royal" family, the lavish subsidies to the Mubaraks—brought us 9/11. The foreign-policy realists turned out to be totally unreal. So we need to do something else. P. J. O'Rourke takes the Will line a stage further: The U.S. military, he says, is good for blowing stuff up but not for any of this post-detonation "reconstruction" nonsense. So, if we have any problems with some two-bit dictator, we should go in, whack the bad guy, leave, and let the locals squabble over who gets to be the next bad guy. If he causes trouble, we whack him, and withdraw again. Repeat as necessary. From the U.S. taxpayer's point of view, this would be relatively inexpensive.

My bottom line is this: The Middle East has to become something other. If it becomes New Hampshire, great. But . . .

The problem with it is that it's been tried before—in Mexico, a century ago. And the long-term result of that reductive strategy is that two-thirds of Mexico's population is now living in California and Texas. Failed states destabilize their neighbors. Americans don't have to pore over maps of West Africa to figure that out: Look to your southern border. Indeed, insofar as four of the 9/11 killers obtained the picture ID with which they boarded their flights that morning through the support network for "undocumented" workers, it's not unreasonable to argue that, if you're looking for really deep "root causes" for what happened that day, you could easily start with America's failure to nation-build in Mexico.

It's not impossible. The British built a nation south of the Yucatán in Belize. In the '80s, it was just about the only country below the Rio Grande that wasn't a foreign-policy headache for Washington. So this isn't some white Eurocentric thing. The Europeans have only latterly embraced the institutions of a free society and in many cases not very plausibly. If you are a 90-year-old Bahamian or Mauritian, you have lived in freedom and stability far longer than a 90-year-old German or Spaniard.

My bottom line is this: The Middle East has to become something other. If it becomes New Hampshire, great. If it becomes Malaysia or Slovenia or Botswana or Chile or Western Samoa, that'll do. It's the particular nature of its dysfunction that threatens our interests. I don't like to talk about "democratizing" the region: Too many countries (Liberia even) have become skilled at holding periodic elections good enough to pass muster with international observers and the IMF. In this case, it's about civilizing—about introducing the rule of law and other conditions that eventually enable true democracy.

Education is an important part. If you speak with prominent "educated" men in the Arab world, at some point—usually not beyond 40 minutes into the conversation—they say something that is just plain nuts. Take Essa bin Mohammed al-Zedjali, editor in chief of *The Times of Oman*, marking the third anniversary of 9/11: "Every thing was well organized," he says of the attack. "The world's only superpower was stunned into silence because before Sept. 11 it was all geared up for an enemy from the outer space, not from planet Earth."

Mr. al-Zedjali and his readers are on planet Earth, if only just. Given the tremendous demographic advantage the Islamic world will have in the decades ahead, we need to use our cultural advantage while we can. That's not an unconservative position, but a realist one. **NR**

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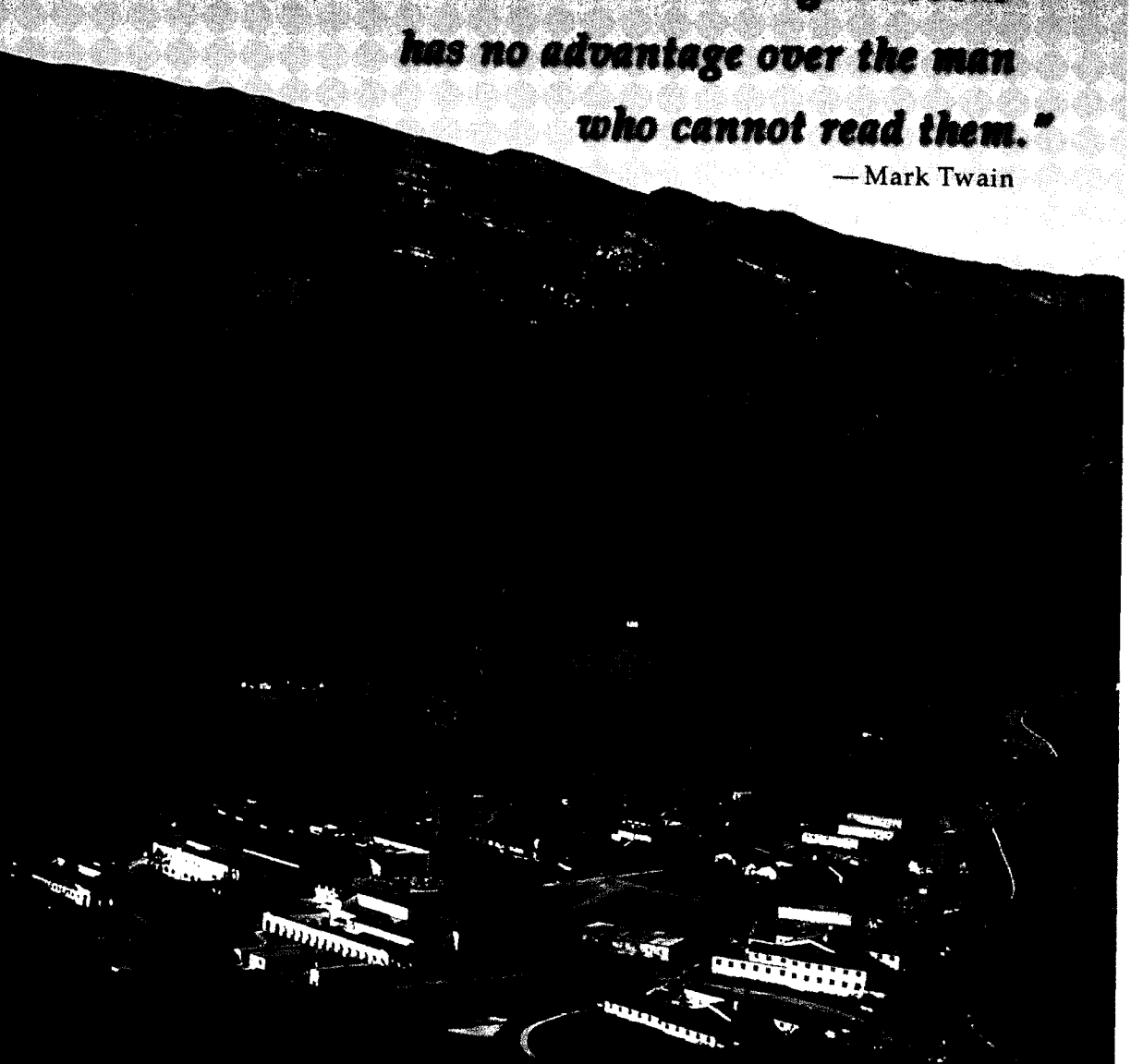
"The man who does not read good books has no advantage over the man who cannot read them."

—Mark Twain



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